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THE

PUBLIC GENERAL STATUTES

PASSED IN THE

FIFTIETH AND FIFTY-FIRST YEARS

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA,

1887:

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WITH

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&c.

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A

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xcvii. An Act to correct an Error in the Charter of Incorporation granted to the Borough of Christchurch in the County of Southampton.

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c. An Act to confirm an Order made by the Board of Trade under the Sea Fisheries Act, 1868, relating to Poole (Wareham Channel).

ci. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area at Shadwell within the Metropolis.

cii. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area at St. Giles-in-the-Fields within the Metropolis.

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cxcv. An Act to amend an Act intituled "An Act to further amend the law relating to Turnpike Roads in South Wales."

cxcvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Birmingham Central Tramways (Extension), Bristol Tramways, Burnley and District Tramways, and Burnley and District Tramways Extension, Macclesfield Tramways, Oldham, Ashton-under-Lyne, Hyde, and District Tramways, West Metropolitan Tramways, and Weymouth Tramways.

THE

PUBLIC GENERAL STATUTES.

50 VICTORIA, SESS. 2.

CHAPTER 1.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand eight hundred and eighty-seven and one thousand eight hundred and eighty-eight. [29th March 1887.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 1,251,076*l.* out of the Consolidated Fund for the service of the year ending 31st March 1887.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-seven, the sum of one million two hundred and fifty-one thousand and seventy-six pounds.

Issue of 12,078,800*l.* out of the Consolidated Fund for the service of the year ending 31st March 1888.

2. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-eight, the sum of twelve million seventy-eight thousand and eight hundred pounds.

Power to the Treasury to borrow.

3. The Commissioners of the Treasury may borrow from time to time, on the credit of the said sums, any sum or sums not exceeding in the whole the sum of thirteen million three hundred and twenty-nine thousand eight hundred and seventy-six pounds, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1887.

CHAPTER 2.

An Act to provide, during twelve months, for the Discipline and Regulation of the Army. [28th April 1887.]

WHEREAS the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by Her Majesty and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one hundred and forty-nine thousand three hundred and ninety-one men, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of Her Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert Her Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act, 1881, will expire in the year one thousand eight hundred and eighty-seven on the following days:

(*a.*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b.*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July; and

(*c.*) Elsewhere, whether within or without Her Majesty's dominions, on the thirty-first day of December:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1887.

Army Act (44 & 45 Vict. c. 58.) to be in force for specified times.

2.—(1.) The Army Act, 1881, shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament; that is to say,

(*a.*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand eight hundred and eighty-seven to the thirtieth day of April one thousand eight hundred and eighty-eight, both inclusive; and

(*b.*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand eight hundred and eighty-seven to the thirty-first day of July one thousand eight hundred and eighty-eight, both inclusive; and

(*c.*) Elsewhere, whether within or without Her Majesty's dominions, from the thirty-first day of December one thousand eight hundred and eighty-seven to the thirty-first day of December one thousand eight hundred and eighty-eight, both inclusive;

and the day from which the Army Act, 1881, is continued in any place by this Act is in relation to that place referred to in this Act as the commencement of this Act.

(2.) The Army Act, 1881, while in force shall apply to persons subject to military law, whether within or without Her Majesty's dominions.

44 & 45 Vict. c. 58.

(3.) A person subject to military law shall not be exempted from the provisions of the Army Act, 1881, by reason only that the number of the forces for the time being in the service of Her Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act, 1881, the prices specified in the Schedule to this Act.

Amendments of Army Act, 1881.

Amendment of s. 41 of 44 & 45 Vict. c. 58. as to offences punishable by ordinary law of England.

4. Whereas under section forty-one of the Army Act, 1881, as amended by the Army (Annual) Act, 1886, a person subject to military law is by the first four sub-sections liable, if convicted by a court-martial of certain offences in those sub-sections particularly specified, to suffer such punishment as is therein specified for each of such offences, and by the fifth sub-section is liable if convicted of any offence, which when committed in England is punishable by the law of England, to suffer such punishment as might be awarded to him in pursuance of the Army Act, 1881, in respect

of an act to the prejudice of good order and military discipline, or to suffer any punishment assigned for such offence by the law of England:

And whereas doubts have arisen as to whether the provision of the fifth sub-section for liability to the punishment that might be awarded in respect of an act to the prejudice of good order and military discipline extends to the offences in the first four sub-sections particularly specified, and it is expedient to remove such doubts: Be it therefore enacted as follows:—

In sub-section five of section forty-one of the Army Act, 1881, the words "not before in this section particularly specified," shall be inserted after the words, "if he is convicted of any offence."

Amendment of s. 57 of 44 & 45 Vict. c. 58. as to commutation and remission of sentences.

5. Whereas by section fifty-seven of the Army Act, 1881, the authorities therein-mentioned have power to commute punishment awarded by a sentence of a court martial for any less punishment or punishments to which the offender might have been sentenced by the said court-martial:

And whereas in case of murder the only sentence which a court-martial can award is the sentence of death, and doubts may arise as to the power of any authority to commute such sentence, and it is expedient to remove such doubts: Be it therefore enacted as follows:—

In sub-section one of section fifty-seven of the Army Act, 1881, the words "or if such punishment is death awarded for the offence "of murder, then for penal servitude or such less punishment as in "this Act mentioned" shall be inserted after the words "sentenced "by the said court-martial."

In sub-section two of section fifty-seven of the Army Act, 1881, the words "or if such punishment is death awarded for the offence "of murder, then for penal servitude or such less punishment as in "this Act mentioned" shall be inserted after the words "sentenced "by the said court-martial."

SCHEDULE.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Twopence halfpenny per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act, 1881.	One shilling and one penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 3.

An Act to amend the Acts relating to County Courts so far as regards the payment of certain expenses connected with County Courts. [28th April 1887.]

WHEREAS doubts have arisen with respect to the construction of certain provisions of the County Courts Act, 1856, and the County Courts Act, 1866, with respect to the payment of the expenses of officers and other expenses connected with county courts, and it is expedient to remove such doubts: 19 & 20 Vict. c. 108. 29 & 30 Vict. c. 14.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the County Courts (Expenses) Act, 1887. Short title.

2. Where in section eighty-two of the County Courts Act, 1856, or in section fourteen of the County Courts Act, 1866, the words "and in the courts in which the plaints exceed the number of six "thousand the amount of salary shall be fixed" occur, the words "and in any court in which the plaints shall have at any time "exceeded six thousand the amount of salary shall be fixed from "time to time" shall be read in lieu thereof. Amendment of s. 82 of 19 & 20 Vict. c. 108. and of s. 14 of 29 Vict. c. 14.

3. Where in section eighty-five of the County Courts Act, 1856, the words "and all other expenses incident to the holding of the "said courts" occur, the words "and all other expenses arising "out of any jurisdiction now or hereafter conferred on such courts, "or any officer thereof," shall be read in lieu thereof. Amendment of s. 85 of 19 & 20 Vict. c. 108.

CHAPTER 4.

An Act to amend the provisions of the Merchant Shipping (Fishing Boats) Acts. [28th April 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Merchant Shipping (Fishing Boats) Act, 1887. Short title and construction.

This Act shall be construed as one with the Merchant Shipping (Fishing Boats) Act, 1883, in this Act referred to as the principal Act, and that Act and this Act may be cited together as the Merchant Shipping (Fishing Boats) Acts, 1883 and 1887. 46 & 47 Vict. c. 41.

2. For the purposes of the principal Act and this Act, in their application to steam trawlers, expressions referring to register tonnage shall be construed as referring to gross tonnage. Tonnage of steam trawlers.

3. The Board of Trade may, in any cases in which they think fit, and subject to such conditions and requirements as in their opinion may be necessary, exempt owners and skippers of fishing Power to exempt fishing boats from ss. 19, 21 of

46 & 47 Vict. c. 41.

boats from the provisions of sections nineteen and twenty-one of the principal Act.

Extension to skippers of certain provisions of 46 & 47 Vict. c. 41. relating to seamen.

4. The provisions relating to seamen contained in sections twenty-four, twenty-five, twenty-eight (sub-sections one, two, three, eight, and nine), thirty-three, thirty-four, and thirty-five of the principal Act shall apply to skippers in like manner and to the same extent as they apply to seamen, and skippers shall be entitled to the same rights and privileges, and be subject to the same duties, liabilities, and penalties, in all respects, as, by those enactments are conferred or imposed upon seamen:

Provided that any notice given by a skipper under section thirty-three of the principal Act shall be given to the owner of the boat or the owner's agent.

Provisions of 46 & 47 Vict. c. 41. ss. 46, 47, to apply to disputes between skippers and owners, and as to provisions.

5. (1.) The provisions of sections forty-six and forty-seven of the principal Act relating to certain disputes shall apply to disputes between skippers and owners in like manner, and to the same extent, as they apply to disputes between skippers or owners and seamen; and shall also apply to any dispute respecting the cost, quantity, or quality of provisions supplied to the crew.

(2.) Any decision of a superintendent of a mercantile marine office under those sections or this section shall be enforced by any justice of the peace within whose jurisdiction the person or goods of anyone against whom the decision is given may be found, in the same manner as if such decision were an order made by justices in the exercise of their summary jurisdiction.

Accounts to be rendered by owners to crews paid by share.

6. (1.) Where a skipper or any other member of the crew of a fishing boat is paid by a share in the catch, the owner of the fishing boat shall render to him a full and true account, in a form sanctioned by the Board of Trade, showing in detail the amounts for which the fish have been sold, and all deductions made from those amounts and chargeable in any respect to the men who are paid by share, either in respect of stores supplied to the fishing boat, or provisions furnished to the crew, or otherwise.

(2.) If any owner makes default in compliance with the requirements of this section he shall, for each default, incur a penalty not exceeding five pounds.

Certificates of service to be issued to second hands until 1st July 1888.

7. (1.) Every person who has, before the first day of July one thousand eight hundred and eighty-eight, served as second hand on a trawler of twenty-five tons register tonnage and upwards, or on such other fishing boats as the Board of Trade may think have afforded the person sufficient experience, for a period amounting in all to not less than twelve months, shall be entitled to a certificate of service as second hand of a fishing boat.

(2.) Every such certificate shall apply in the same manner, and shall be subject to the same conditions, and shall contain the same particulars as certificates of service issued under section forty of the principal Act.

No trawler above 25 tons to go to sea without certificated second hand.

8. (1.) After the first day of July one thousand eight hundred and eighty-eight, a trawler of twenty-five tons register tonnage or upwards shall not go to sea from any port in the United Kingdom unless the second hand (as well as the skipper) thereof is the holder of a certificate of competency or service entitling him under the principal Act or this Act to act as second hand of the trawler.

(2.) If any such trawler goes to sea contrary to this section the owner thereof shall incur for each such offence a penalty not exceeding twenty pounds.

(3.) Every person who, except in case of necessity,—

(*a.*) Having been engaged to serve as second hand of any such trawler, and not being the holder of a certificate entitling him under the principal Act to act as second hand of the trawler, serves as such second hand; or

(*b.*) Employs any person as second hand of any such trawler without having ascertained that he is the holder of a certificate entitling him under the principal Act or this Act to act in that capacity;

shall for each such offence incur a penalty not exceeding twenty pounds.

In case of absence of skipper, second hand may be authorised to act.

9. Where a skipper of a fishing boat is absent from his boat the superintendent of a mercantile marine office may, on the request of the owner of the boat, and on being satisfied that the absence is due to an unavoidable cause, authorise the second hand of the boat to act, for a period not exceeding one month, as the skipper of the boat during the skipper's absence.

Regulations respecting conveyance of fish from trawlers.

10. (1.) The Board of Trade, on the application of any owner or owners of a fleet of fishing vessels, or of any association of owners of fishing vessels, or of any person or persons having the charge or command of a fleet of fishing vessels, or without such application if the person or body of persons entitled to make the application fails after request by the Board of Trade to do so, may from time to time make, rescind, and vary such regulations respecting the conveyance of fish from trawlers to vessels engaged in collecting and carrying fish to ports, as may appear to the Board to be expedient for the purpose of preventing loss of life, or danger to life or limb.

(2.) All regulations made by the Board of Trade under this section shall be laid for thirty days before both Houses of Parliament while in session, and if either House within that period resolves that the whole or any part of any such regulations ought not to be in force, the same shall not have any force, without prejudice, nevertheless, to the making of any other regulation in its place. Subject to any such resolution, all regulations so made shall come into force at the expiration of the thirty days aforesaid.

(3.) All regulations made by the Board of Trade under this section shall, whilst in force, have effect as if they were enacted in this Act.

(4.) If any person to whom any regulation under this section for the time being applies makes default in compliance therewith he shall, for each default, incur a penalty not exceeding ten pounds.

Fees payable on engagements and discharges.

11. The Board of Trade may from time to time prescribe the fees to be payable upon engagements or discharges of members of the crews of fishing boats when effected before the superintendent of a mercantile marine office; and the superintendents, their deputies, clerks, and servants may refuse to proceed with any such engagement or discharge unless the fee payable thereon has first been paid. All fees so paid shall be carried to the credit of the Mercantile Marine Fund.

Power to hold inquiries in cases of loss of life from boats of fishing vessels. 42 & 43 Vict., c. 72. 17 & 18 Vict. c. 104.

12. (1.) Whenever loss of life arises by reason of any casualty happening to or on board any boat belonging to a fishing vessel, the Board of Trade may, if they think fit, cause an inquiry to be made or formal investigation to be held respecting the casualty, and all the provisions of the Merchant Shipping Acts, and of the Shipping Casualties Investigations Act, 1879, shall apply to any such inquiry or investigation, as if it had been made or held under the eighth part of the Merchant Shipping Act, 1854.

(2.) This section shall extend to Scotland.

Extent of Act.

13. This Act shall not, except as expressly provided, extend to Scotland.

CHAPTER 5.

An Act to amend the law respecting the Customs Duties of the Isle of Man. [28th April 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Isle of Man (Customs) Act, 1887.

Power to impose duties provisionally subject to approval of Parliament.

2. If the court of Tynwald of the Isle of Man resolve that it is expedient to impose, abolish, or vary any customs duties in the Isle of Man, and that such imposition, abolition, or variation should take effect immediately, and the Commissioners of Her Majesty's Treasury approve of such resolution, such resolution shall have full effect as from the date specified therein until the end of six months from the date of the resolution, and if Parliament is then in session until the end of the then current session of Parliament; but, save as otherwise provided by this or any other Act, shall at such date or at any earlier date at which either—

(*a*) an Act of Parliament relating to the duties of customs in the Isle of Man is passed; or

(*b*) the Commissioners of Her Majesty's Treasury by minute declare that there is no prospect of such resolution being confirmed by Parliament;

cease to have effect without prejudice to anything previously done in pursuance thereof.

Provided that—

(*a*) if any person satisfies the Commissioners of Her Majesty's Customs that by reason of any provision of any such resolution he has paid in respect of any goods duties in excess of the duty which he would otherwise have paid, and that such goods are still in his possession at the date of the said provision ceasing as aforesaid to be of effect, the Commissioners of Customs shall repay him so much of the duty as they consider to have been so paid in excess; and

(*b*) a person may not by virtue of any provision of any such resolution pay less duty than he otherwise would pay, unless and until he gives to the Commissioners of Her Majesty's Customs such undertaking or security, by deposit or otherwise, as they may require to pay the duty which he would otherwise have paid in the event of the said provision ceasing to be of effect.

Alteration of duties on wine.

3. On a day to be fixed by the Commissioners of the Treasury the duties of Customs now payable on wine imported or brought into the Isle of Man shall cease, and in lieu thereof there shall be charged and paid the duties following (that is to say):—

	£	s.	d.
Wine not exceeding 30 degrees of proof spirit, the gallon	0	0	8
Wine exceeding 30 but not exceeding 42 degrees of proof spirit, the gallon	0	1	8
And for every degree or part of a degree beyond the highest above charged, an additional duty, the gallon	0	0	3

In this section the word "degree" does not include fractions of the next higher degree; and

"Wine" includes lees of wine.

CHAPTER 6.

An Act to amend the Supreme Court of Judicature Act (Ireland), 1877. [23rd May 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Abolition of distinctions between certain judgeships.

1. From and after the passing of this Act, the office of Chief Justice of the Common Pleas, and on the occasion of the first vacancy after the passing of this Act in the office of Chief Baron of the Exchequer, the said office of Chief Baron of the Exchequer, shall be reduced to an equality with the offices of the puisne judges of the High Court, by the abolition of the rank and title of Lord Chief Justice of the Common Pleas in the first case, and Lord Chief Baron of the Exchequer in the latter case, and of all other distinctions between the office of the judge who may be appointed to fill the office of Chief Justice of the Common Pleas, vacant at the time of the passing of this Act, or the office of Chief Baron of the Exchequer, when the same may become vacant, and the offices of the puisne judges of the High Court, and between the salary, pension, and patronage attached to such office, and the salaries, pensions, and patronage of the puisne judges of the High Court.

Consolidation of the Common Law Divisions.

2. The Lord Lieutenant may at any time after the passing of this Act by Order in Council direct the fusion and amalgamation of the Common Pleas Division with the Queen's Bench Division of the High Court, and may by a like Order at any time after the occurrence of a vacancy in the office of Chief Baron of the Exchequer direct the fusion and amalgamation of the Exchequer Division with the Queen's Bench Division of the High Court, and may by each such order, or by a like order from time to time, give all such further directions as may be necessary or proper for the aforesaid purposes. No such Order in Council shall come into operation until the same shall have been laid before each House of Parliament for thirty days on which that House shall have sat, nor if within such period of

thirty days an address is presented to Her Majesty by either House of Parliament, praying that the order may not come into operation. Any such order in respect whereof no such address shall have been presented to Her Majesty shall from and after the expiration of such period of thirty days be of the same force and effect as if it had been expressly enacted in this Act.

Transfer of powers.

3. From and after the passing of this Act the Lord Chief Justice shall be capable of exercising all powers and authorities which by any law or custom have heretofore been exercised by the Chief Justice of the Common Pleas, and from and after the first vacancy which shall occur in the office of Chief Baron of the Exchequer, shall be capable of exercising all powers and authorities which by any law or custom shall theretofore have been exercised by the Chief Baron of the Exchequer.

Alteration in the number of judges required for certain functions.

4. From and after the passing of this Act all the powers and functions which may be exercised and all the matters and things which may be done by the Lord Chancellor, the Chief Justice, the Chief Justice of the Common Pleas, and the Chief Baron, or any three or any two of such persons of whom the Lord Chancellor shall be one, as enacted by the seventy-second and seventy-third sections of the Supreme Court of Judicature Act (Ireland), 1877, and by the Supreme Court of Judicature (Ireland) Act, 1882, may be exercised by the Lord Chancellor and the Chief Justice, and the Chief Baron of the Exchequer, or any two of them, of whom the Lord Chancellor shall be one, and may, on the occurrence of a vacancy in the office of Chief Baron, be exercised by the Lord Chancellor and the Chief Justice, subject, however, to the conditions imposed by those enactments with reference to the concurrence of the Treasury and otherwise.

40 & 41 Vict. c. 57.
45 & 46 Vict. c. 70.

Interpretation.

5. In this Act the expression puisne judges of the High Court shall mean judges of the High Court who are not ex-officio judges of the Court of Appeal; other terms and expressions used in this Act shall have the same meanings respectively as in the Supreme Court of Judicature Act (Ireland), 1877; and the last-mentioned Act and this Act shall be construed together.

Short title.

6. This Act may be cited as the Supreme Court of Judicature (Ireland) Act, 1887.

CHAPTER 7.

An Act to amend the Customs Consolidation Act, 1876.

[23rd May 1887.]

WHEREAS it is right and expedient that the proviso hereinafter contained should be added to the one hundred and seventy-ninth section of the Customs Consolidation Act, 1876:

39 & 40 Vict. c. 36.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The words following shall be added to the said section, and shall be taken and read as part of the same, viz.:—"And provided "also, that no person shall be liable to conviction under this "section unless there shall be reasonable cause to believe that such "person was concerned in, or privy to, the illegal act or thing "proved to have been committed." Amendment of s. 179 of Customs Consolidation Act, 1876.

2. This Act may be cited as the Customs Consolidation Act, 1876, Amendment Act, 1887. Short title.

CHAPTER 8.

An Act to amend the Incumbents of Benefices Loans Extension Act, 1886. [23rd May 1887.]

WHEREAS it is expedient to amend the Incumbents of Benefices Loans Extension Act, 1886:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the Incumbents of Benefices Loans Extension Act, 1886, Amendment Act, 1887; and this Act and the Incumbents of Benefices Loans Extension Act, 1886, (herein-after referred to as the principal Act) may be cited together as the Incumbents of Benefices Loans Extension Acts, 1886-87. Short title.

2. In section one of the principal Act the words "by extending "such term for any period not exceeding twenty years from the "yearly period next before the date of the resolution to be passed "in respect of such benefice, to be accompanied by a correspond-"ing reduction of the amount of the annual instalment of principal "and interest," shall be read and have effect as if the following words had been inserted in lieu thereof; that is to say, "by ex-"tending such term for any period not exceeding twenty years, "so that by such extension the amount of the annual instalments "payable in respect of the loan shall be reduced as from the day "of the annual payment due next before the date of the resolution "to be passed in respect of such benefice"; and such extension may be granted notwithstanding the original term may have been before extended. Provided that the whole term of the two extensions shall not exceed in any case twenty years. And in the case of any extension of the time for the payment of instalments the term of years for which the possessions of the benefice are mortgaged shall be enlarged to the like extent. Amendment of 49 & 50 Vict. c. 34. s. 1.

CHAPTER 9.

An Act to remove the Disabilities of the Police to vote at Parliamentary Elections. [23rd May 1887.]

WHEREAS it is inexpedient that any person otherwise entitled to be registered as a voter should be incapacitated to vote at parliamentary elections by reason of his being employed in or in connexion with the police:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal.

1. The enactments mentioned in the schedule to this Act are hereby repealed to the extent mentioned in the third column of the said schedule.

Constable on duty to be entitled to vote at any polling station.

2. Where a constable is or is likely to be, on the day of any election, sent or employed in the discharge of his duty so as to prevent him voting at the polling booth or station at which he would otherwise be entitled by law to vote, the following enactments shall have effect:—

(1.) Such constable may, at any time within seven days before the election, apply to the chief constable for a certificate, and the chief constable shall thereupon give a certificate under his hand, stating the name of the constable, his number in the police force, his number and description on the register of voters, and the fact that he is so sent or employed;

(2.) The presiding officer at any polling booth or station shall, on production by such constable of the said certificate, allow him to vote at that booth or station, and shall forthwith cancel the said certificate, and deal with the same in like manner as the counterfoils of voting papers are directed by law to be dealt with;

(3.) No such constable shall, under this section, be entitled to vote at any election at which he would not, but for this section, be entitled to vote, nor more than once in any election, and if he so votes, or attempts to vote, he shall be subject to all the penalties imposed by law on a person personating or attempting to personate a voter at such election;

(4.) In this section,—

(*a.*) "Constable" includes any person belonging to a police force;

(*b.*) "Chief constable" includes an assistant chief constable, a commissioner or assistant commissioner of police, a head constable, and any other person for the time being in command of a police force, or acting in that capacity;

35 & 36 Vict. c. 33.

(*c.*) "Register of voters" has the same meaning as in the Ballot Act, 1872.

Registration in case of temporary absence of police officer on duty.

3. A person otherwise entitled to be registered as a voter at parliamentary elections in respect of the occupation of a dwelling-house shall be deemed an inhabitant occupier thereof as tenant notwithstanding his temporary absence therefrom in the execution

of duty as a police officer during a part of the qualifying period, not exceeding four consecutive months.

Amendment of section 9 of 19 & 20 Vict. c. 2.

4. Section nine of the Act, nineteen and twenty Victoria, chapter two, shall be read and construed as if for the word "therein," were substituted the words "in certain elections of members to serve in "Parliament."

Saving as to section 8 of 17 & 18 Vict. c. 102.

5. Provided always, that this Act shall not operate to extend the benefit of the eighth section of the Corrupt Practices Prevention Act, 1854, to any person becoming entitled to vote by virtue of this Act.

Short title.

6. This Act may be cited as the Police Disabilities Removal Act, 1887.

SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
	PART I.—ENGLAND AND WALES.	
10 Geo. 4. c. 44.	An Act for improving the police in and near the metropolis.	Section eighteen, the words "shall, "during the time that he shall continue in any such office or within six "calendar months after he shall have "quitted the same, be capable of "giving his vote for the election of a "member for the counties of Middlesex, Surrey, Hertford, Essex, or "Kent, or for any city or borough "within the Metropolitan Police District, nor."
2 & 3 Vict. c. 93.	An Act for the establishment of county and district constables by the authority of justices of the peace.	Section nine, "be capable of giving his vote "for the election of a member to serve "in Parliament for the county in which "he is so appointed, or for any county "adjoining thereto, or for any city "or borough within any of the said "counties, nor shall any such constable."
2 & 3 Vict. c. xciv (Private.)	An Act for regulating the police in the City of London.	Section eight, "be capable of giving his "vote for the election of a member to "serve in Parliament for the city of "London or for the counties of Middlesex, Surrey, Hertford, Essex, or Kent, "or for any city or borough within the "Metropolitan Police District, nor "shall."
19 & 20 Vict. c. 2.	An Act to amend the Acts relating to the metropolitan police.	Section nine, the words "or voting in "certain elections of members to serve "in Parliament."
19 & 20 Vict. c. 69.	An Act to render more effectual the police in counties and boroughs in England and Wales.	Section nine, the words "or for the "election of a member to serve in Parliament for such borough, or any "county in or to which such borough "is situate either wholly or in part or "adjoins, or for any borough within "such county."

Session and Chapter.	Title.	Extent of Repeal.
23 & 24 Vict. c. 135.	An Act for the employment of the metropolitan police force in Her Majesty's yards and military stations.	Section five, the words "be capable of "giving his vote for the election of "a member to serve in Parliament for "any county, or division of a county, "or city, borough, or place in which, "or in any part of which, he may be "authorised to act under the provisions "herein contained, or."
	PART II.—SCOTLAND.	
20 & 21 Vict. c. 72.	An Act to render more effectual the police in counties and burghs in Scotland.	Section seventeen, the words "be capable "of giving his vote for the election of "a member to serve in Parliament for "the county in which he is so ap- "pointed, or in any part thereof, or for "any county adjoining thereunto, or "for any Royal or Parliamentary "borough or town within any of the "said counties, nor shall any such "constable."

CHAPTER 10.

An Act to enable His Royal Highness the Duke of Connaught to return to England for a limited time for the purpose of being present at the celebration of Her Majesty's Jubilee without thereby resigning his command in Bombay. [23rd May 1887.]

WHEREAS under the Act of the session held in the thirty-third year of King George the Third, chapter fifty-two, and the Act of the session held in the third and fourth years of King William the Fourth, chapter eighty-five, and the Acts amending the same, the return to Europe of any commander-in-chief in India is deemed in law a resignation and avoidance of his office:

And whereas His Royal Highness Prince Arthur William Patrick Albert, Duke of Connaught and of Strathearn, is Commander-in-Chief in the Presidency of Bombay, and it is expedient to provide for authorising his return to England for a limited time for the purpose of being present at the celebration of Her Majesty's Jubilee without such return being a resignation or avoidance of his office under the said Acts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Return of Duke of Connaught to England without resignation.

1. The Governor-General of India in Council may authorise His Royal Highness Prince Arthur William Patrick Albert, Duke of Connaught and of Strathearn, to return to England for the purpose of being present at the celebration of Her Majesty's

Jubilee, and for that purpose to be absent from the Presidency of Bombay for such period, not exceeding three months, as may be fixed by the Governor-General in Council, and the return of His Royal Highness so authorised shall not be in law a resignation or avoidance of his office of Commander-in-Chief in the Presidency of Bombay.

CHAPTER 11.

An Act for giving facilities for the conversion of India Four per Cent. Stock into India Three and a half per Cent. Stock, and for other purposes relating thereto.

[23rd May 1887.]

WHEREAS, in accordance with the conditions under which India Four per Cent. Stock has been issued, the Secretary of State in Council of India has power to give notice of his intention to redeem that stock at par on the tenth day of October one thousand eight hundred and eighty-eight:

And whereas the said Secretary of State has offered to holders of India Four per Cent. Stock, in exchange for such stock and in lieu of repayment in cash, a like amount of India Three and a half per Cent. Stock, bearing interest from the fifth day of July one thousand eight hundred and eighty-seven, together with the payment on the sixth day of July one thousand eight hundred and eighty-seven of one pound twelve shillings and sixpence per cent. on the amount of stock exchanged, to be treated as interest so as to make up a sum equal to interest thereon at the rate of four pounds per cent. per annum to the tenth day of October one thousand eight hundred and eighty-eight:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Conversion of India Stock Act, 1887.

Power of holders, trustees, &c. in relation to exchange of India Four per Cent. Stock for India Three and a half per Cent. Stock.

2. Where any India Four per Cent. Stock is standing in the name of any person, such person (in this section referred to as the holder) may, with the consent of the Secretary of State, exchange such stock or any part thereof for India Three and a half per Cent. Stock: Provided that when the consent of any person other than the holder is required for a change of investment by such holder, such consent shall be required for the purpose of an exchange in pursuance of this section; and when the holder is a trustee and has not power under the terms of his trust to vary investments, the consent either of every person interested in the stock, or when any such person is an infant or a person of unsound mind the consent of his guardian or guardians or of the committee of his estate or curator bonis (as the case may be), or the consent of a judge of the High Court of Justice in England and Ireland, or in Scotland of a judge of the Court of Session, shall be required for the purpose of an exchange in pursuance of this section; and

when the holder in a joint account is an infant, or a person of unsound mind, or is under any other disability, or is beyond the seas, the other holders or holder may, with the consent of a judge of the High Court of Justice in England and Ireland, or in Scotland of a judge of the Court of Session, exchange in pursuance of this section such stock or any part thereof for India Three and a half per Cent. Stock; and such consents having been obtained, holders shall not be liable for any loss resulting from any exchange in pursuance of this section. Subject to rules of court, any jurisdiction given by this Act to a judge of the High Court of Justice shall be exercised by a judge of the Chancery Division.

The Bank shall not be bound to inquire as to whether any such consent as aforesaid is given to any exchange, nor be responsible in the event of any consent not having been given.

Powers of investment.

3. A power, whether subject or not to any restrictions or conditions, to invest in India Four per Cent. Stock shall extend to authorise an investment, subject to the same conditions and restrictions (if any), in India Three and a half per Cent. Stock.

Stock taken in exchange to be held subject to same provisions as former stock.

4. Where stock is exchanged under this Act, the stock taken in exchange, and the interest thereon, shall be subject to the same trusts, charges, rights, distringas, and restraints as affect the stock cancelled on the exchange, and the interest thereon respectively.

Powers of attorney for sale and transfer of India Four per Cent. Stock to apply to India Three and a half per Cent. Stock.

5. Every power of attorney in force for the sale and transfer of any India Four per Cent. Stock shall, unless it be legally revoked or become void, remain in force for the purpose of enabling the attorney or attorneys therein named or referred to to receive and give receipts for the money which will become payable for the redemption of any principal sum of such India Four per Cent. Stock, and to sell and transfer any India Three and a half per Cent. Stock that may be accepted in exchange for such India Four per Cent. Stock, or into which such India Four per Cent. Stock may be converted, and to receive the consideration money and give receipts for the same.

Powers of attorney for receipt of dividends on India Four per Cent. Stock to apply to India Three and a half per Cent. Stock.

6. Every power of attorney in force for the receipt of dividends on any India Four per Cent. Stock shall, unless it be legally revoked or become void, remain in force for the purpose of enabling the attorney or attorneys therein named or referred to to receive the dividends to accrue on India Three and a half per Cent. Stock, and also to receive the said payment of one pound twelve shillings and sixpence per cent. on India Four per Cent. Stock which will become payable on the sixth day of July one thousand eight hundred and eighty-seven.

Requests for post dividend warrants in respect of India Four per Cent. Stock to apply to India Three and a half per Cent. Stock.

7. Every request for the transmission of dividend warrants by post relating to India Four per Cent. Stock in force at the time of the passing of this Act, or which may hereafter be made in pursuance of the Act of the thirty-fourth and thirty-fifth Victoria, chapter twenty-nine, shall, unless it be legally revoked or become void, extend and apply to India Three and a half per Cent. Stock as if the stock mentioned in such request were therein described as India Three and a half per Cent. Stock.

Power to exchange stock up to 1,000*l.* value standing

8. Where the holder of India Four per Cent. Stock to the amount of one thousand pounds nominal value or less is an infant or a person of unsound mind, and no steps are taken on or before

the first day of July one thousand eight hundred and eighty-seven for the exchange of such stock for India Three and a half per Cent. Stock, such exchange shall be made, notwithstanding that no consent may have been given by his guardian or guardians, or by the committee of his estate or curator bonis (as the case may be). For the purpose of effecting such exchange the Bank shall, by the direction of the Secretary of State, cancel in their books as from the first day of July one thousand eight hundred and eighty-seven the amount to be exchanged of India Four per Cent. Stock standing in the name of any such holder, and shall inscribe in their books in the name of such holder the amount of India Three and a half per Cent. Stock to be given in exchange for the India Four per Cent. Stock so cancelled. The Secretary of State may provide as to the evidence of title, unsoundness of mind, or other matter which the Bank may require. A direction from the Secretary of State shall be a sufficient authority for anything done by the Bank in pursuance of such direction for the purposes of this section.

in name of infant or of person of unsound mind.

9. In this Act,— Definitions.

"The Secretary of State" means the Secretary of State in Council of India.

"The Bank" means the Governor and Company of the Bank of England, or the Governor and Company of the Bank of Ireland, as the case may be, and includes their successors.

"Person" includes a body of persons, corporate or unincorporate.

CHAPTER 12.

An Act to amend the Bishopric of Truro Act, 1876, and the Truro Chapter Act, 1878. [5th July 1887.]

WHEREAS it is expedient that the limits of the parish church of Saint Mary in Truro, in the county of Cornwall, should be defined, and that outside these limits no part of the cathedral church for the bishopric of Truro should be deemed a part of a parochial church:

And whereas it is expedient to make further provision as to the office of dean and sub-dean, and as to the constitution and endowment of the chapter:

And whereas it is expedient that the Dean and Chapter of Exeter should be empowered to transfer the advowsons and rights of patronage belonging to them within the diocese of Truro to the Dean and Chapter of Truro:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Truro Bishopric and Chapter Acts Amendment Act, 1887. Short title.

2. In this Act— Interpretation.

"The bishop" means the Bishop of Truro for the time being:

"The cathedral church" means the cathedral church of the bishopric of Truro aforesaid:

"The parish church" means the parish church of Saint Mary in Truro aforesaid:

"The rector" means the rector for the time being of the parish church:

"The dean and chapter" or "the Dean and Chapter of Truro" respectively means the dean of the cathedral church, or, until such dean be founded and appointed, the bishop acting as dean, the sub-dean, and the canons residentiary of the cathedral, and any person who by this Act is entitled to a voice in the chapter:

"The general chapter" means the dean and chapter and the honorary canons of the cathedral.

Parish church of St. Mary not to extend beyond south aisle of cathedral church.

3. The south aisle of the cathedral church for the bishopric of Truro shall be substituted for the old parish church of Saint Mary in Truro, in the county of Cornwall, and shall be the parish church, and shall have all the rights and privileges of the old parish church, and be to all intents and purposes in lieu of the old parish church, and no portion of the cathedral church other than the south aisle, or of the site thereof, or of the surrounding yard and enclosure thereto, shall be subject to any rights of the patron or incumbent of the parish church, and the whole of the cathedral church with the exception of the south aisle shall be deemed the cathedral church in the same manner and as fully as if no part thereof had ever been used as a parochial church, and the cathedral church shall be vested in the bishop and his successors for ever, and the bishop and his successors are hereby empowered to retain and hold the same without any licence in mortmain, any law or statute to the contrary notwithstanding, but so long as the south aisle of the cathedral church continues to be the parish church, the rector and the ministers officiating therein may use the vestries and lavatories belonging to the cathedral church, and shall have access thereto through the cathedral church.

Regulation of services in cathedral church and parish church.

4. The bishop shall, in his discretion, from time to time make in writing under his hand regulations as to the services in the cathedral church and the parish church respectively, and the hours of celebrating the same, and the use of the bells; and the dean and chapter and the rector and the churchwardens of the parish of Saint Mary in Truro and all other persons shall conform to such regulations: Provided always, that any corporation or person affected by such regulations may appeal to the archbishop of the province, whose decision thereon shall be final.

Performance of services, and giving of notices, and publication of banns in cathedral church in place of parish church.

5. The dean and chapter may, with the sanction of the bishop, permit the incumbent of the parish or any minister officiating on his behalf or as his curate to perform and solemnize any of the services or offices of the church and to give notices and to publish banns of marriage in any part of the cathedral church which is not within the limits of the parish church, and all services and offices so performed and solemnized, and all notices so given, and all banns of marriage so published shall be deemed to have been performed, solemnized, given, or published in the parish church, and in the case of marriages, baptisms, and burials shall be registered in the registers of the parish church: Provided always, that all fees, dues, and emoluments payable in respect of any such services, notices, and publication of banns of marriage shall belong

and be paid to the respective persons who would have been entitled thereto if the services and offices had been performed and solemnized, or the notices had been given, or the banns of marriage had been published in the parish church.

No alteration in the fabric of south aisle of cathedral, without sanction.

6. It shall not be lawful to make any alteration in the fabric of the south aisle of the cathedral church so long as it continues to be the parish church without the sanction in writing of the bishop and the dean and chapter.

Sub-dean of cathedral church to be rector of parish church.

7. The sub-dean of the cathedral church for the time being shall be the rector of the parish church so long as the south aisle of the cathedral church is the parish church, and shall perform all the duties of the office of sub-dean, and shall be assigned by the bishop a stall in the choir of the cathedral, and shall in the absence of the dean or of the bishop (until a dean has been appointed) preside in the residentiary chapter and in the general chapter and shall have the same voice in such chapters respectively as a residentiary canon: Provided always, that if he shall also be a residentiary canon or an honorary canon of the cathedral he shall not in any such residentiary or general chapter have an additional voice.

Power to appoint honorary canons members of chapter.

8. Until the establishment and endowment of two additional canons residentiary in the cathedral the bishop may by writing under his hand appoint one or more of the honorary canons of the cathedral performing the duties of precentor, missioner, treasurer, or president of the honorary canons to such rights of membership in the dean and chapter as he may think advisable, and to have the same voice in such chapter as a canon residentiary, but he shall not in the general chapter be entitled to more than one voice.

Bishop to act as dean.

9. The bishop, in addition and without prejudice to his functions, power, jurisdiction, and authority, until the appointment of a dean, shall have, perform, and exercise all the functions, power, jurisdiction, and authority of a dean in relation to the cathedral church and the dignitaries, officers, and services thereof: Provided always, that the bishop shall not be liable as dean to be summoned to the Lower House of Convocation for the Province of Canterbury, and that no obligation in regard to residence shall be imposed upon him.

Dean and chapter to be a body corporate.

10. The dean and chapter may accept and hold advowsons and such real and personal property as may be lawfully vested in them by the name of "the dean and chapter of the cathedral church of Saint Mary in Truro," and by that name shall be a body corporate, and shall enjoy all such rights, benefits, and privileges as are enjoyed by the deans and chapters of other cathedral churches.

Truro Chapter endowment fund. 41 & 42 Vict. c. 44.

11. Donors of contributions and the Ecclesiastical Commissioners shall respectively have and exercise for the purposes of the Truro Chapter Act, 1878, and the Truro Chapter endowment fund thereby created the same powers of bestowing and receiving respectively, either by way of gift or bequest, real and personal property for the said fund as they have and exercise under the provisions of the Bishoprics Act, 1878, and all the provisions of the Cathedral Acts Amendment Act, 1873, shall apply to the cathedral church, and the Ecclesiastical Commissioners may out of the annual income 41 & 42 Vict. c. 68. 36 & 37 Vict. c. 39.

arising from the Truro Chapter endowment fund pay to the incumbent of any honorary canonry an annual sum not exceeding twenty pounds.

Truro Cathedral endowment fund.

12. A Truro Cathedral endowment fund may be founded to be held upon trust for the maintenance of the fabric of the cathedral church and for defraying the expenses of the organist, choir, and sextons, and the lighting and cleaning of the cathedral church, and all other expenses incident to the performance of divine service therein, and the dean and chapter shall have full power to sell (discharged from all trusts), invest, manage, lease, and otherwise deal with the fund and the property in which it may for the time being be invested in such manner as they may deem most expedient for the purposes of the trust.

Transfer of advowsons from Dean and Chapter of Exeter to Dean and Chapter of Truro. 33 & 34 Vict. c. 39.

13. The ownership of all or any advowsons or advowson, and every or any other right of patronage in any spiritual preferment within the diocese of Truro belonging to the Dean and Chapter of Exeter, may be transferred from such dean and chapter to the Dean and Chapter of Truro, and such transfer may be effected in accordance with the provisions of the Act thirty-third and thirty-fourth Victoria, chapter thirty-nine, but it shall not be necessary for the Ecclesiastical Commissioners to ascertain or to state in any scheme submitted by them to Her Majesty in Council for effecting such transfer that such transfer will tend to make better provision for the cure of souls in any parish or district in or in respect of which any such right of patronage or advowson exists or arises.

Patronage of benefices belonging to dean and chapter.

14. The patronage of all benefices belonging to the Dean and Chapter of Truro shall be exercised with the consent of the general chapter in accordance with such regulations as may from time to time be made by the general chapter with the approval of the bishop, to be given under his hand in writing, and a minute in writing under the hand of the president shall be sufficient evidence of any act or resolution of the general chapter.

If new parish church substituted south aisle of cathedral church to cease to be parish church.

15. If hereafter, with the approval of the rector and the churchwardens of the parish of Saint Mary, a new parish church shall be erected and shall be duly consecrated, the south aisle of the cathedral church shall cease to be the parish church, and shall be deemed to be a part of the cathedral church in the same manner and as fully as if it had never been used as a parochial church.

CHAPTER 13.

An Act to extend, in certain cases, the provisions of the Superannuation Act, 1859, and to extend and otherwise amend the provisions of the Colonial Governors (Pensions) Acts, 1865 and 1872. [5th July 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Pensions (Colonial Service) Act, 1887, and shall be construed as one with the Superannuation Act, 1859, and with the Colonial Governors (Pensions) Acts, 1865 and 1872.

Application of Superannuation Acts to Colonial civil service. 22 Vict. c. 26. 28 & 29 Vict. c. 113. 35 & 36 Vict. c. 29.

2. Where a person who has been employed in any office in the permanent civil service of a colony has been employed also in some Imperial civil capacity, his service in the said office shall for the purposes of the Superannuation Act, 1859, and the Colonial Governors (Pensions) Acts, 1865 and 1872, and the Acts amending the said Acts, be deemed to be service in the permanent civil service of the State, and the said office shall be deemed to be an office in a public department, and the said person shall, subject as herein-after provided, be qualified to receive a pension accordingly.

Provided that the Commissioners of Her Majesty's Treasury shall determine the portion of every such pension which shall be paid from the Consolidated Fund of the United Kingdom or moneys voted by Parliament, but no payment shall be made therefrom in respect of any employment in the permanent civil service of a colony.

The expression "Imperial civil capacity" in this section means the permanent civil service of the State, and also the administration of the government of a colony within the meaning of the Colonial Governors (Pensions) Act, 1865.

Provision as to pensions under 28 & 29 Vict. c. 113., and 35 & 36 Vict. c. 29.

3. A person shall not receive by way of pension, under the Colonial Governors (Pensions) Acts, 1865 and 1872, an amount which, together with any pension for service in the permanent civil service of the State or of a colony, exceeds the sum of one thousand pounds a year, or two-thirds of the salary and emoluments of his office in that service, whichever is greater. But his pension under the said Acts shall not be reduced by reason of his pension in respect of the said service being an emolument within the meaning of section seven of the Colonial Governors (Pensions) Act, 1865.

Mode of computing superannuation allowance to be granted in certain cases.

4. Any pension to be granted in pursuance of section ten of the Colonial Governors (Pensions) Act, 1865, as amended by this Act, to a person who has administered the government of any colony or colonies shall be computed, according to the provisions of the Superannuation Act, 1859, on the salary and emoluments of his office in the permanent civil service of the State or of a colony, and not on the salary received by him in respect of the administration of the said government.

Application of 28 & 29 Vict. c. 113. and 35 & 36 Vict. c. 29. to High Commissioner in Cyprus.

5. Whereas by the Colonial Governors (Pensions) Acts, 1865 and 1872, provision is made for retiring pensions to persons who have administered the government of any of Her Majesty's Colonies, and it is expedient to extend the said Acts to Her Majesty's High Commissioner in Cyprus: Be it therefore enacted as follows:

A pension may be granted in pursuance and subject to the provisions of the Colonial Governors (Pensions) Acts, 1865 and 1872, as amended by this or any other Act, to a person who has, either before or after the passing of this Act, administered the government of Cyprus as Her Majesty's High Commissioner, and those Acts shall apply as if Cyprus were a colony within the meaning thereof, and were within Her Majesty's dominions.

Definition of permanent civil service of a colony.

6. For the purposes of this Act a person shall be deemed to be employed in the permanent civil service of a colony if he holds any such permanent office in the service of Her Majesty in the government of any colony as qualifies him to receive a pension out of the revenues of such colony.

Provision against double pensions.

7. A person shall not receive a pension under the Colonial Governors (Pensions) Acts, 1865 and 1872, or this Act, and also under section twelve of the Superannuation Act, 1859.

Explanation of terms.

8. The expressions "permanent civil service of the State," "permanent civil service of Her Majesty," and "permanent civil service of the Crown," are hereby declared to have the same meaning, and this Act and any enactment relating to salaries and pensions shall be construed accordingly.

In this Act "pension" includes superannuation allowance.

CHAPTER 14.

An Act to apply the sum of thirteen million six hundred and seventy-five thousand six hundred and fifty-nine pounds out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-eight.

[5th July 1887.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 13,675,659*l.* out of the Consolidated Fund for the service of the year ending 31st March 1888.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-eight the sum of thirteen million six hundred and seventy-five thousand six hundred and fifty-nine pounds.

Power to the Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time on the credit of the said sum any sum or sums not exceeding in the whole the sum of thirteen million six hundred and seventy-five thousand six hundred and fifty-nine pounds, and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than

the next succeeding quarter to that in which the said moneys were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

3. This Act may be cited as the Consolidated Fund (No. 2) Act, 1887. Short title.

CHAPTER 15.

An Act to grant certain Duties of Customs and Inland Revenue, to alter other duties, and to amend the laws relating to Inland Revenue. [5th July 1887.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Customs and Inland Revenue Act, 1887. Short title.

PART I.

CUSTOMS AND EXCISE.

2. The duties of Customs now chargeable upon tea shall continue to be levied and charged, on and after the first day of August one thousand eight hundred and eighty-seven until the first day of August one thousand eight hundred and eighty-eight, on the importation thereof into Great Britain or Ireland; (that is to say,) Import duties on tea.

Tea, the pound - - - - Sixpence.

3. In lieu of the duties of Customs now payable on tobacco there shall, on and after the twenty-first day of May one thousand eight hundred and eighty-seven, be levied and charged upon tobacco imported into Great Britain or Ireland the duties following; (that is to say,) Duties and drawback on tobacco.

		£	s.	d.
Tobacco manufactured, viz.:				
Segars - - - -	the lb.	0	5	0
Cavendish or Negrohead - -	the lb.	0	4	6
Cavendish or Negrohead manufactured in bond - - - -	the lb.	0	4	0
Other manufactured tobacco - -	the lb.	0	4	0

		£	s.	d.
Snuff containing more than 13 lbs. of moisture in every 100 lbs. weight thereof - - - -	the lb.	0	3	9
Snuff not containing more than 13 lbs. of moisture in every 100 lbs. weight thereof - - - -	the lb.	0	4	6
Tobacco unmanufactured, viz.:				
Containing 10 lbs. or more of moisture in every 100 lbs. weight thereof -	the lb.	0	3	2
Containing less than 10 lbs. of moisture in every 100 lbs. weight thereof -	the lb.	0	3	6

And in lieu of the drawback now allowable on tobacco exported from Great Britain or Ireland, or deposited in a bonded or Queen's warehouse as the case may be, there shall, on and after the thirty-first day of May one thousand eight hundred and eighty-seven, be allowed the drawback of three shillings and threepence named in section one of the Manufactured Tobacco Act, 1863.

26 & 27 Vict. c. 7.

Restriction of amount of moisture in tobacco.

4. If any manufacturer of tobacco shall have in his custody or possession any tobacco (except tobacco which must undergo some process of treatment or manufacture before it is fit for sale), or if any dealer in or retailer of tobacco shall have in his custody or possession any tobacco, and such tobacco shall in either case on being dried at a temperature of two hundred and twelve degrees as denoted by Fahrenheit's thermometer be decreased in weight by more than thirty-five per centum, he shall incur an excise penalty of fifty pounds and the tobacco shall be forfeited.

Roll tobacco or cut tobacco in the custody or possession of a manufacturer of tobacco which is treated in the course of manufacture by baking, or hot-pressing, or stoving, shall be deemed fit for sale when the same has cooled after such treatment, and roll tobacco in such custody or possession, which is treated in the course of manufacture by pressing merely, shall be deemed fit for sale immediately upon being put in press.

PART II.

STAMPS.

Reduction of duty on certain sea policies.

5. Where the premium or consideration for any sea insurance does not exceed the rate of two shillings and sixpence per centum of the sum insured by the policy, the stamp duty upon such policy shall be one penny only.

Limitation of time for stamping foreign sea policies.
33 & 34 Vict. c. 97.
44 & 45 Vict. c. 12.

6. The period within which a policy of sea insurance made or executed out of the United Kingdom may be stamped on payment of the duty only, under section one hundred and seventeen of the Stamp Act, 1870, as amended by section forty-four of the Customs and Inland Revenue Act, 1881, is hereby reduced to ten days.

Duties on transfers of debenture stock or county stock and on

7. In lieu of the duties now payable on a transfer, otherwise than on mortgage, of any debenture stock or funded debt of any company or corporation, or any county stock, there shall be charged the duties herein-after mentioned or referred to; (that is to say,)

Where the transfer is on sale, the same ad valorem duties as are charged by the Stamp Act, 1870, upon a conveyance or transfer on sale of other property by relation to the amount or value of the consideration for the sale; stock certificates to bearer. 33 & 34 Vict. c. 97.

Where the transfer is of any other kind than on sale or mortgage, ten shillings;

and in lieu of the duties now payable under section forty-six of the Customs and Inland Revenue Act, 1881, upon every "Stock Certificate to Bearer" there shall be charged upon every such certificate a stamp duty of an amount equal to three times the amount of the ad valorem stamp duty which would be chargeable on a deed transferring the stock specified in the certificate if the consideration for the transfer were the nominal value of such stock. 44 & 45 Vict. c. 12.

8.—(1.) By way of composition for certain stamp duties there shall be charged upon the aggregate amount appearing on every half-yearly account delivered to the Commissioners of Inland Revenue as herein-after mentioned for every full sum of one hundred pounds and any fractional part of one hundred pounds of such amount the duty of sixpence. Duty as composition for stamp duties.

(2.) The duty shall be a stamp duty, and shall be under the care and management of the said Commissioners, who by themselves and their officers shall have the same powers and authorities for the collection, recovery, and management thereof as are vested in them for the collection, recovery, and management of any stamp duties, and shall have all other powers and authorities requisite for such purposes.

9.—(1.) Any company or corporation may enter into an agreement with the said Commissioners, if the said Commissioners in their discretion think proper, for the delivery of an account showing the nominal amount of all the shares, stock, and funded debt of such company or corporation, or the amount thereof in respect of which payment has been made, if the whole sums payable in respect thereof have not been paid: and after such agreement has been entered into the account shall be immediately delivered to the said Commissioners, and a like account shall be delivered half yearly in each year. Accounts to be delivered by companies, corporations, and county justices with a view to compound.

(2.) The justices of any county, liberty, riding, parts, or division of a county may enter into an agreement with the said Commissioners for the delivery of an account showing the nominal amount of all the "county stock," or the amount thereof in respect of which payment has been made, if the whole sums payable in respect of such stock have not been paid; and after such agreement has been entered into the account shall be immediately delivered to the said Commissioners, and a like account shall be delivered half yearly in each year.

(3.) The agreement shall specify the officer of the company, corporation, or county justices, whether secretary, treasurer, accountant, or other officer, by whom the accounts are to be delivered, and such officer is herein-after referred to by the term "accountable officer."

10. Every account shall be a full and true account of all shares, stock, and funded debt, or county stock existing at the time of the delivery of the account, and of the amount thereof in respect of Contents and forms of account.

which payment has been made, if the whole sums payable in respect thereof have not been paid, and shall be made in such form and shall contain all such particulars as the said Commissioners shall require; and the accountable officer is hereby made answerable for the delivery to the said Commissioners of such full and true account as aforesaid.

Time for delivery of accounts and payment of duty.

11.—(1.) The accounts to be delivered to the said Commissioners half yearly shall be delivered on or within seven days before the first day of February and the first day of August in each year, and the duty hereby imposed shall be paid upon the delivery of the account, and if the same be not then paid it shall be a debt due to Her Majesty from the company, corporation, or county justices on whose behalf the account shall have been delivered.

(2.) Where the first account under this Act shall be delivered by any company, corporation, or county justices at any time between the said two half-yearly days, such account shall be charged with an amount of duty proportionate to the period between the date of the delivery of the account and the first succeeding half-yearly day.

Penalty for not delivering account and paying duty.

12. In the case of wilful neglect to deliver such an account as is hereby required to be delivered, or to pay the duty in conformity with this Act, the company or corporation or county justices shall be liable to pay to Her Majesty a sum equal to ten pounds per centum upon the amount of duty payable and a like penalty for every month after the first month during which such neglect shall continue.

Provision for case of certain companies.

13.—(1.) In the case of any company or corporation formed within the United Kingdom, and having registers abroad in which shares, stock, or funded debt may be registered, the shares, stock, or funded debt of such company or corporation shall not for the purposes of the account under this Act include the shares, stock, or funded debt for the time being registered abroad.

(2.) In the case of any Colonial or foreign company or corporation having registers in the United Kingdom in which shares, stock, or funded debt are registered, the shares, stock, or funded debt for the time being registered in the United Kingdom shall for the purposes of the account under this Act be regarded as constituting all the shares, stock, or funded debt of the company or corporation.

Amendment of law as to existing modes of composition in certain cases.

14.—(1.) The provisions as to composition contained in section fifty-three of the Inland Revenue Act, 1880, shall not apply to any debenture stock, corporation stock, municipal stock, or funded debt, by whatever name known, created or issued after the passing of this Act by the council of any city or municipal borough.

(2.) The provisions as to composition contained in sections three and four of the Metropolitan Board of Works (Loans) Act, 1870, and section fifty-four of the Inland Revenue Act, 1880, shall not apply to Metropolitan Consolidated Stock and Metropolitan Annuities issued or granted after the first day of August one thousand eight hundred and eighty-seven; and by way of composition for stamp duties on the transfers thereof the Metropolitan Board of Works shall deliver to the said Commissioners half-yearly accounts, in conformity with this Act, of all Metropolitan

33 & 34 Vict. c. 24.
43 & 44 Vict. c. 20.

Consolidated Stock and Metropolitan Annuities issued or granted after such day.

Exemption in consideration of composition.

15. So soon as any account has been delivered, and payment of the duty hereby imposed has been made, transfers of any shares, stock, or funded debt, or county stock included in such account, and also any share warrants or stock certificates relating to such shares, stock, or funded debt, or county stock, shall be exempt from stamp duty.

Power to compounding company, &c. to require additional payments on registration of transfer, &c.

16. Where an agreement for composition under this Act has been entered into by any company or corporation or county justices, such company or corporation or county justices shall have power, in addition to any fee exigible upon registration of any transfer of shares, stock, or funded debt, or county stock, as the case may be, or upon issue of any share warrant, or stock certificate relating thereto, to require payment of an amount not exceeding the amount of stamp duty which would have been chargeable upon the transfer or share warrant or stock certificate if no such agreement had been entered into.

PART III.

INCOME TAX.

Grant of duties of income tax.

17. There shall be charged, collected, and paid for the year which commenced on the sixth day of April one thousand eight hundred and eighty-seven in respect of all property, profits, and gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following duties of income tax; (that is to say,)

For every twenty shillings of the annual value or amount of property, profits, and gains chargeable under Schedules (A.), (C.), (D.), or (E.) of the said Act, the duty of sevenpence.

And for every twenty shillings of the annual value of the occupation of lands, tenements, hereditaments, and heritages chargeable under Schedule (B.) of the said Act—

In England, the duty of threepence halfpenny.

In Scotland and Ireland respectively, the duty of twopence halfpenny.

Farmer may elect to be charged under Schedule D.

18. It shall be lawful for any person occupying lands for the purposes of husbandry only to elect to be assessed to the duties of income tax chargeable under Schedule D., and in accordance with the rules of that schedule, in lieu of assessment to the duties under Schedule B.

The election of such person shall be signified by notice in writing delivered personally or sent by post in a registered letter to the surveyor of taxes for the district within two calendar months after the commencement of the year of assessment; and from and after the receipt of such notice the charge upon him to the duties of income tax for such year shall be under Schedule D., and the profits or gains arising to him from the occupation of the lands shall for all purposes be deemed to be profits or gains of a trade chargeable under that schedule.

Application of provisions of Income Tax Acts.

19. All such provisions contained in any Act relating to income tax as were in force on the fifth day of April one thousand eight hundred and eighty-seven shall have full force and effect with respect to the duties of income tax granted by this Act, so far as the same shall be consistent with the provisions of this Act.

Assessment of income tax under Schedules (A.) and (B.) and of the inhabited house duties for the year 1887-8. 32 & 33 Vict. c. 67.

20. With respect to the assessment of the duties of income tax hereby granted under Schedules (A.) and (B.) in respect of property elsewhere than in the metropolis as defined by the Valuation (Metropolis) Act, 1869, and of the duties on inhabited houses elsewhere than in the said metropolis, for the year commencing, as respects England, on the sixth day of April, and, as respects Scotland, on the twenty-fourth day of May, one thousand eight hundred and eighty-seven, the following provisions shall have effect:

(1.) The inspectors or surveyors of taxes shall be the assessors for the said duties, and, in lieu of the poundage by law granted to be divided between the assessors and collectors in regard to such duties, there shall be paid a poundage of three halfpence to the collectors thereof.

(2.) The sum charged as the annual value of any property in the assessment of income tax thereon for the year which commenced on the sixth day of April one thousand eight hundred and eighty-six, and the sum charged as the annual value of every inhabited house in the assessment made thereon for the same year as respects England, and as respects Scotland for the year which commenced on the twenty-fifth day of May one thousand eight hundred and eighty-six, shall be taken as the annual value of such property, or of such inhabited house, for the assessment and charge thereon of the duties of income tax hereby granted or of the duties on inhabited houses, to all intents and purposes as if such sum had been estimated to be the annual value, in conformity with the provisions in that behalf contained in the Acts relating to income tax and the duties on inhabited houses respectively;

(3.) The Commissioners executing the said Acts shall for each place within their district cause duplicates of the assessments to be made out and delivered to the collectors, together with the warrants for collecting the same.

Provisions of Income Tax Acts to apply to duties to be granted for succeeding year.

21. In order to ensure the collection in due time of any duties of income tax which may be granted for the year commencing on the sixth day of April one thousand eight hundred and eighty-eight all such provisions contained in any Act relating to the duties of income tax as are in force on the fifth day of April one thousand eight hundred and eighty-eight shall have full force and effect with respect to the duties of income tax which may be so granted in the same manner as if the said duties had been actually granted and the said provisions had been applied thereto by an Act of Parliament passed on that day.

CHAPTER 16.

An Act to amend the law respecting the National Debt and the charge thereof on the Consolidated Fund, and to make further provision respecting Local Loans.

[12th July 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the National Debt and Local Loans Act, 1887. Short title.

National Debt.

2.—(1.) The amount of the permanent annual charge for the National Debt during the current and every subsequent financial year, shall be the sum of twenty-six million pounds, and twenty-six shall be substituted for twenty-eight in section one of the Sinking Fund Act, 1875. Amendment of 38 & 39 Vict. c. 45. s. 1. as to amount of permanent annual charge and sums payable thereout.

(2.) There shall be payable as part of the permanent annual charge for the National Debt:

(*a.*) All such perpetual and terminable annuities, and the interest on all such Exchequer Bonds and other debts as are specified in part one of the First Schedule to this Act; and

(*b.*) All interest on advances made by the Bank of England or the Bank of Ireland in pursuance of section twelve of the Exchequer and Audit Departments Act, 1866; and 29 & 30 Vict. c. 39.

(*c.*) The interest on all loans borrowed under any Act on account of ways and means; and

(*d.*) The annual amounts payable for the time being to the Bank of England and Bank of Ireland for the management of, or expenses connected with, the National Debt, or any part thereof.

(3.) There shall not be payable as part of the permanent annual charge for the National Debt—

(*a.*) the deferred annuities, or the interest on the Exchequer bonds, specified in part two of the First Schedule to this Act; or

(*b.*) any annuities or the interest on any Exchequer bonds, Exchequer bills, Treasury bills, or other loans, created, issued, or borrowed under any Act passed after the passing of this Act, which does not direct the same to be payable as part of the said permanent annual charge.

3. There shall be repealed as from the commencement of this Act— Amendment of 44 & 45 Vict. c. 55. and 47 & 48 Vict. c. 23. as to special sinking fund and decrease of permanent charge.

(*a.*) so much of the National Debt Act, 1881, as directs an annual sinking fund as therein mentioned to be paid to the National Debt Commissioners; and

(*b.*) so much of any Act as provides for any decrease of the permanent annual charge for the National Debt.

4.—(1.) The Treasury may exchange the existing sets of terminable annuities created in pursuance of section two of the Exchange of sets of annuities terminating in

1889, 1894, and 1899, for longer terminable annuities. 46 & 47 Vict. c. 54.

National Debt Act, 1883, for such new terminable annuities, for a period not exceeding fifteen years from the commencement of this Act, as may be of equivalent capital value.

(2.) Such new terminable annuities shall be charged on the Consolidated Fund or the growing produce thereof, and shall be payable as part of the permanent annual charge for the National Debt yearly, half-yearly, or quarterly, at such times in each year as may be fixed by the warrant creating them.

(3.) An annuity created under this section shall be periodically adjusted in manner provided by section four of the National Debt Act, 1883, and for that purpose may be increased or reduced, and the National Debt Act, 1883, shall apply for the purpose of the adjustment of a terminable annuity created under this section.

Amendment of 38 & 39 Vict. c. 45. s. 5. as to application of old sinking fund. 45 & 46 Vict. c. 72.

5. Whereas under section twenty-one of the Revenue, Friendly Societies, and National Debt Act, 1882, the payment of all capital sums due from the National Debt Commissioners to friendly societies, when the securities held on account of those societies by the said Commissioners have been exhausted, was charged on the Consolidated Fund; and whereas the said securities have been exhausted, and the capital debt from the said Commissioners to friendly societies, and thus charged on the Consolidated Fund, is one million three hundred thousand pounds or thereabouts, and it is expedient to provide for the application of the old sinking fund in discharge of such debt (in this section referred to as the friendly societies debt), be it therefore enacted as follows:

38 & 39 Vict. c. 45.

The old sinking fund, in addition to the mode of application authorised by the Sinking Fund Act, 1875, and any Act amending the same, may be applied in payment to the National Debt Commissioners of the friendly societies debt or any part thereof, and the provisions of that section with respect to the investment of money in the hands of the National Debt Commissioners on account of friendly societies shall apply to the investment of any money paid to them in pursuance of this section.

Provision of Money for Local Loans.

Advance by National Debt Commissioners of money authorised by Parliament for Local Loans.

6.—(1.) When Parliament has authorised the advance of any money for the purpose of loans by the Public Works Loan Commissioners, or by the Fishery Board for Scotland, or by the Commissioners of Public Works in Ireland, or by the Irish Land Commissioners, or for the purpose of similar loans by the Treasury, (all which loans are in this Act referred to as Local Loans,) the National Debt Commissioners shall from time to time issue to the said respective Commissioners or Board, or the Treasury, for the purpose of the loans, such sums as may be for the time being required for that purpose, not exceeding in the aggregate, in the case of each of the respective Commissioners and the Board and the Treasury, the amount authorised by Parliament.

(2.) If the Act authorising such advance of money fixes a period during which the money is to be issued, the said money shall be issued by the National Debt Commissioners during that period and not subsequently.

(3.) For the purpose of passing an annual Act of Parliament authorizing advances under this section, the National Debt Commissioners shall not less than two months before the commencement of every financial year send to the Treasury an estimate of the sums required to be issued for local loans in that year for the advance of which an annual Act is necessary.

(4.) The enactments for the time being in force for the regulation of the said Commissioners and Board, and the money at their disposal, and their securities and the proceedings thereon shall, so far as they are consistent with this Act, respectively apply in the case of money issued to those Commissioners and Board in pursuance of this Act.

Establishment of Local Loans Fund and payments of Local Loans thereto.

7.—(1.) There shall be established a Local Loans Fund under the control of the National Debt Commissioners, consisting of such securities and money and applicable to such purposes as are provided by this Act.

(2.) There shall be paid to the National Debt Commissioners in such manner as the Treasury from time to time direct, and carried to the Local Loans Fund, all sums paid or applicable in or towards the discharge of the principal or interest of any Local Loan granted either before or after the passing of this Act, or of any other sum due in respect of such loan, except as otherwise in the Second Schedule to this Act specified; but where any security for a loan is enforced by taking possession, sale, levy of a rate, or otherwise, the net receipts only shall be paid to the National Debt Commissioners in pursuance of this section.

(3.) Accounts shall be kept distinguishing the receipts and expenditure of the Local Loans Fund in respect of capital and in respect of income.

Constitution of Local Loans stock.

8.—(1.) For the purposes of this Act, and subject to the limitations thereof, the Treasury may from time to time create a new class of capital stock consisting of perpetual annuities yielding dividends at the rate of three per cent. per annum on the nominal amount of the capital (which stock is in this Act referred to as Local Loans stock).

(2.) Such annuities shall be payable by equal quarterly dividends at such times in each year as may be fixed by the warrant creating the first portion of Local Loans stock, and shall be paid out of the Local Loans Fund, and if such fund is insufficient shall to the extent of such insufficiency be charged on and issued out of the Consolidated Fund or the growing produce thereof, and any sum so issued out of the Consolidated Fund shall be repaid to the Consolidated Fund in manner provided by this Act.

(3.) The Local Loans stock shall not be redeemable until after the expiration of twenty-five years from the commencement of this Act, but after that date may be redeemed at any time, after not less than one month's notice, at the rate of one hundred pounds sterling for every hundred pounds of the capital sums in respect of which the annuities are payable, together with the payment of all arrears of such annuities, including the portions which have accrued since the last date for the payment of dividends.

(4.) Such notice shall be a resolution of the House of Commons, signified by the Speaker in writing, and printed in the "London Gazette," and the portion of stock redeemed at one time shall not be less than five million pounds capital stock, but, subject as aforesaid, the mode of redemption shall be determined by an Act to be hereafter passed.

(5.) The Local Loans stock created from time to time shall be consolidated with the like stock previously created, and all Local Loans stock shall be transferable in the books of the Banks of England and Ireland in like manner as other stocks of three per cent. perpetual annuities, and shall be subject to the enactments relating to those stocks so far as is consistent with the tenor of those enactments and this Act, so, however, that the said enactments shall not create any further charge on the Consolidated Fund than is created by this Act.

(6.) All persons and bodies of persons, including the National Debt Commissioners, having power, whether subject or not to any restrictions or conditions, to invest in any other stock of three per cent. perpetual annuities, shall have power, subject to the same restrictions and conditions (if any), to invest in Local Loans stock.

Creation of Local Loans stock in exchange for securities corresponding to amount of Local Loans.

9. Whereas of the sums which have been issued by the Treasury and the National Debt Commissioners for the purpose of Local Loans, the amount outstanding and not repaid or written off is estimated to amount to thirty-seven million two hundred thousand pounds, and it is expedient to provide that such amount should be represented by the like amount of Local Loans stock created in pursuance of this Act, be it therefore enacted as follows:

(1.) The Treasury shall give to the National Debt Commissioners Local Loans stock in exchange for securities held by the said Commissioners on account of trustee savings banks or post office savings banks to an aggregate capital value equivalent to the nominal amount of such Local Loans stock; and the amount of Local Loans stock so given in exchange shall be such nominal amount not exceeding in the whole thirty-seven million two hundred thousand pounds, as may be determined by the Treasury at the time of the exchange to be the amount outstanding in respect of sums issued for Local Loans, and not repaid or written off:

(2.) The National Debt Commissioners shall hold the Local Loans stock given to them in exchange, for the same purposes, and subject to the same provisions, for and subject to which they held the securities received from them in exchange.

Exchange of Local Loans stock with the public.

10. The National Debt Commissioners may from time to time give Local Loans stock to any persons or bodies of persons in exchange for other three per cent. perpetual annuities, upon such terms and in such manner as may be from time to time provided by those Commissioners.

Restitution Fund for replacing loss to Exchequer from Local Loans.

11. Whereas a sum estimated at twelve million pounds or thereabouts has been lost to the Exchequer through the non-repayment by local authorities and individuals of the principal of Local Loans, and it is expedient that part of that sum amounting to six million five hundred thousand pounds or thereabouts, should be treated as a grant by Parliament, and that towards the restitution of the

residue of the sum so lost and such further sums as may hereafter be lost by reason of the like non-repayment, an annual sum should be applied out of the sums receivable for interest on outstanding Local Loans; be it therefore enacted as follows:

(1.) For the purpose of the restitution of the residue of the said sum so lost, and any further losses in respect of Local Loans, an annual sum of one hundred and thirty thousand pounds shall be paid in quarterly instalments out of the Local Loans Fund at such times as the National Debt Commissioners from time to time direct, and shall be carried by the National Debt Commissioners to a separate fund, in this Act referred to as the Restitution Fund:

(2.) All sums from time to time paid to the Restitution Fund shall be applied by the National Debt Commissioners in the reduction of the National Debt in like manner as if such sums were a portion of the new sinking fund under the Sinking Fund Act, 1875: 38 & 39 Vict. c. 45.

(3.) The Treasury shall from time to time lay before Parliament a statement of all losses which the Exchequer suffers by reason of Local Loans, in consequence of an issue out of the Exchequer whether made in respect of the principal of any such loan written off by direction of Parliament, or made for the purpose of paying the dividends on Local Loans stock, or meeting a deficiency in the income account of the Local Loans Fund.

Income of Local Loans Fund.

12.—(1.) All sums paid to the Local Loans Fund on account of the interest of Local Loans shall be considered as income of the Local Loans Fund.

(2.) Any money issued out of the Consolidated Fund for the purpose of dividends on the Local Loans stock in any financial year shall be repayable to the Consolidated Fund out of the income during that year of the Local Loans Fund.

(3.) The income account of the Local Loans Fund shall be charged with the payments under this Act in respect of the annual sum payable to the Restitution Fund, and in respect of the dividends on Local Loans stock (whether such latter payments were made directly or by way of repayment to the Consolidated Fund), and with such expenses connected with Local Loans stock as the Treasury from time to time direct.

(4.) If it is shown by the income account of the Local Loans Fund for any financial year that the income is in excess of the expenditure, the excess shall be applied in the payment of such sum in respect of expenses in connexion with Local Loans as the Treasury from time to time direct, and subject to that application, shall be credited in account to the capital of the Local Loans Fund.

(5.) If it is shown by the income account of the Local Loans Fund for any financial year that the income is less than the expenditure, a sum equal to the deficiency shown by the account shall, so far as the same has not been paid out of the Consolidated Fund, be charged on and issued out of the Consolidated Fund or the growing produce thereof.

(6.) All sums issued out of the Consolidated Fund in pursuance of this Act to meet such deficiency, and all sums so issued for the purpose of payment of the dividends on Local Loans stock and not repaid out of the income of the Local Loans Fund, shall be an advance to be repaid out of moneys provided by Parliament.

Capital of Local Loans Fund and creation of stock to supply deficiency.

13.—(1.) All sums paid to the Local Loans Fund on account of the principal of any Local Loan shall be credited in account to the capital of the Local Loans Fund.

(2.) All sums credited to the capital account of the Local Loans Fund in respect either of the principal of Local Loans or of an excess on the income account, shall be treated as a sinking fund for the redemption of Local Loans stock, and may be from time to time invested either in advances under this Act or in the purchase of securities in which the National Debt Commissioners are authorised to invest money held by them on account of trustee savings banks or post office savings banks.

(3.) The said sinking fund may be from time to time applied for the purpose of the purchase or redemption of Local Loans stock, and Local Loans stock so purchased or redeemed shall be forthwith cancelled.

(4.) If at any time there is no part of the said sinking fund which the Commissioners think fit to invest in an advance for Local Loans, and the money otherwise standing to the account of the Local Loans Fund is insufficient to meet the money authorised by Parliament to be advanced for the purpose of Local Loans, and for the time being required for that purpose, the National Debt Commissioners shall certify the same to the Treasury; and thereupon the Treasury shall create such amount of Local Loans stock as appears to them to be required; so, however, that such stock shall not be created in any financial year for raising sums exceeding in the aggregate the amount authorised by Parliament to be advanced during that financial year, after deducting the amount of the said sinking fund which the National Debt Commissioners think fit to invest in advances for Local Loans.

(5.) Instead of creating Local Loans stock as aforesaid, the Treasury may authorise the National Debt Commissioners to borrow temporarily on such terms as may be approved by the Treasury from the Bank of England or Bank of Ireland, or out of any cash balances in the hands of the National Debt Commissioners, available for investment under the Acts relating to trustee or post office savings banks or any other Act, the sum required as above mentioned for the purpose of Local Loans, so, however, that the sum so borrowed shall not increase the total amount authorised to be raised by the National Debt Commissioners in any financial year, and either the amount so borrowed shall be repaid out of the moneys standing to the capital account of the Local Loans Fund or the nominal amount of Local Loans stock authorised to be created under this section shall be reduced by an amount equivalent to the sum so borrowed and not repaid, but Local Loans stock may be created for the purpose of such repayment.

(6.) Where any sum so temporarily borrowed in any financial year has not been repaid, the Treasury may, in any subsequent financial year, in addition to any amount of Local Loans stock

otherwise authorised to be created, create Local Loans stock to such amount as is required to repay the amount so borrowed.

(7.) Any authority given by the Treasury, under this section, to borrow any sum shall be sufficient authority to the Banks of England or Ireland, or the National Debt Commissioners, to advance that sum.

(8.) All sums raised by the creation of Local Loans stock shall be carried to the Local Loans Fund, and placed to the capital account of that fund.

General provisions as to Local Loans Fund.

14.—(1.) Subject to the provisions of this Act, any money for the time being standing to the account of the Local Loans Fund may be applied in payment of any sums charged on such fund and in any advances under this Act for the purpose of Local Loans.

(2.) The National Debt Commissioners may from time to time temporarily apply any money standing for the time being to the account of the Local Loans Fund in the purchase of securities in which they are authorised to invest money held by them on account of trustee savings banks or post office savings banks.

(3.) As regards any securities which the National Debt Commissioners have, in pursuance of this Act, purchased with moneys standing to the account of the Local Loans Fund or of the sinking fund connected therewith, the income thereof shall be considered as income of the Local Loans Fund, and the National Debt Commissioners may from time to time sell and vary the securities, and the proceeds of any such sale shall be carried to the account to which the moneys with which the securities were purchased were standing at the time of the purchase.

Writing off and payment by Parliament of losses on Local Loans.

15.—(1.) Where the whole or any part of the principal of any Local Loan is by reason of the same not being likely to be recovered directed by Parliament to be written off from the account of assets of the Local Loans Fund, the amount of such principal shall be treated as a loss to the Exchequer, to be made good by means of the Restitution Fund under this Act, but nothing in this section shall alter the liability of any person or body corporate to pay the principal of or interest on any Local Loan, or any part thereof.

(2.) Any amount so directed to be written off after the expiration of the current financial year, shall be paid to the National Debt Commissioners out of moneys provided by Parliament, and any sums afterwards recovered, whether for principal or interest in respect of the amount so written off, shall be paid into the Exchequer.

(3.) The amounts directed by this section to be paid to the National Debt Commissioners may be paid either in a capital sum, or by means of a terminable annuity for a period not exceeding ten years, to be calculated with interest at the rate of not less than three per cent. per annum.

(4.) Any sums so paid to the National Debt Commissioners shall be carried to the Local Loans Fund, and be placed to the capital account of that fund and treated as a sum paid on account of the principal of a Local Loan; but if any sums so paid are paid in respect of a terminable annuity, so much thereof as represents interest shall be placed to the income account of the Loans

Fund, and treated as a sum paid on account of the interest of a Local Loan.

Accounts.

16. The National Debt Commissioners shall keep such accounts for the purposes of this Act, as are required by this Act, and subject thereto, as the Treasury from time to time direct, and those accounts shall be audited by the Comptroller General of the receipt and issue of Her Majesty's Exchequer and Auditor General of Public Accounts in accordance with such regulations, and the accounts so audited shall be laid before Parliament in such form, as the Treasury from time to time direct.

Supplemental provisions as to exchange and creation of annuities.

17. For the purposes of this Act, the following provisions shall have effect:

(1.) The exchange of one set of terminable annuities for another set of terminable annuities, and the giving of Local Loans stock to the National Debt Commissioners in exchange for other securities, shall be effected by a warrant of the Treasury to the Bank of England directing them to cancel in their books, as from the date of exchange specified in the warrant, the terminable annuities or securities standing in such names and of such an amount as is mentioned in the warrant, and by the creation (by the same or another warrant) in the same names of such terminable annuities or Local Loans stock as the case requires:

(2.) The creation of terminable annuities and Local Loans stock shall be effected by a warrant from the Treasury to the Bank of England, directing them to inscribe in their books as from the date of creation specified in the warrant, terminable annuities of the amount and for the periods mentioned in the warrant, or, as the case requires, Local Loans stock of the amount mentioned in the warrant:

(3.) For the purpose of an exchange of securities, advances by the National Debt Commissioners in pursuance of section seven of the Public Works Loans Act, 1879, shall be treated as if the amount of each such advance were the like amount of capital stock of perpetual annuities, but the warrant directing the cancellation thereof shall be addressed to the National Debt Commissioners:

42 & 43 Vict. c. 77.

(4.) The amount of any annuities or stock to be cancelled or created shall be certified to the Treasury by the National Debt Commissioners under the hands of the Controller General or Assistant Controller and of the Actuary of the National Debt Office:

(5.) The equivalent capital value shall, save as otherwise provided by this Act, be calculated as follows:

(*a.*) In the case of terminable annuities, the capital value of the existing terminable annuities shall be deemed to be their present value ascertained on the basis of the rate of interest yielded by three per cent. perpetual annuities at the average price of the day, as certified by the Bank of England, on the day of the exchange; and, in calculating the capital value of the new annuities, the interest shall be taken at the same rate;

(*b.*) In the case of securities given by the National Debt Commissioners in exchange for Local Loans stock, the capital value thereof, if perpetual annuities, shall be calculated at the average price of the day as certified by the Bank of England on the day of exchange, and if a charge created under the Public Works Loans Act, 1879, shall be the capital amount of such charge: 42 & 43 Vict. c. 77.

(6.) The date of creation, and the date of exchange shall respectively be, such day as may be in each case agreed on between the Treasury and the National Debt Commissioners:

(7.) The annuities and securities, or any part thereof, directed by any warrant under this Act to be cancelled shall, after the date specified in the warrant, be cancelled, and all payments in respect thereof shall cease:

(8.) Any terminable annuity payable to the National Debt Commissioners under this Act in pursuance of an exchange for any other terminable annuities shall, so far as it represents interest, be dealt with as the dividends on the perpetual annuities which were converted into the said terminable annuities would have been applied, and so far as it represents principal, shall be dealt with by them as moneys received on account of trustee or post office savings banks:

(9.) The warrants of the Treasury issued in pursuance of this Act shall be a sufficient authority to the Bank of England for doing the things thereby directed.

Remuneration to Banks of England and Ireland.

18. For the purpose of calculating the remuneration to be paid to the Banks of England and Ireland respectively for the management of the National Debt, Local Loans stock shall be deemed to form part of the Unredeemed National Debt, but such proportion of the amount payable to the Bank of England or Ireland in respect of remuneration for the management of the National Debt, as corresponds to the amount of Local Loans stock which is deemed as aforesaid to form part of the Unredeemed National Debt, shall be paid to the said banks out of the Local Loans Fund.

Definitions.

19. In this Act, unless the context otherwise requires—

The expression "Treasury" means the Commissioners of Her Majesty's Treasury:

The expression "National Debt Commissioners" means the Commissioners for the Reduction of the National Debt:

The expression "Bank of England" means the Governor and Company of the Bank of England:

The expression "Bank of Ireland" means the Governor and Company of the Bank of Ireland:

The expression "perpetual annuities" means the perpetual annuities mentioned in the First Schedule to this Act, or any of such annuities:

The expression "trustee savings bank" means a savings bank to which the Trustee Savings Bank Act, 1863, extends: 26 & 27 Vict. c. 87.

The expression "financial year" means the twelve months ending on the thirty-first day of March; and the expression "current "financial year" means the financial year in which this Act is passed.

Commencement of Act.

20. The provisions of this Act shall have effect as from the beginning of the current financial year, which beginning is in this Act referred to as the commencement of this Act.

The Treasury shall adjust all accounts and all receipts and expenditure so as to give effect to this Act as from the commencement thereof, and for that purpose may cause sums to be paid into or out of the Exchequer, and charge any sum on and issue any sum out of the Consolidated Fund or the growing produce thereof, and may direct any other payments to be made by or to the National Debt Commissioners or other bodies affected by this Act.

Repeal of Acts.

21. The Acts set forth in the Third Schedule to this Act are hereby repealed to the extent, and as from the dates, in the third column of that schedule mentioned, or, where no date is so mentioned, as from the commencement of this Act; provided that the repeal of any enactment by this Act shall be without prejudice to anything done or suffered, or any responsibility, or liability, or freedom from responsibility or liability, incurred or acquired previously to the commencement of this Act or any later date at which such repeal takes effect.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

PART I.

PERMANENT ANNUAL CHARGE.

FUNDED DEBT:

Charge for Perpetual Annuities:

New 3*l.* 10*s.* per Cent. Bank Annuities.
3*l.* per Cent. Consolidated Bank Annuities.
3*l.* per Cent. Reduced Bank Annuities.
New 3*l.* per Cent. Bank Annuities.
2*l.* 15*s.* per Cent. Bank Annuities.
2*l.* 10*s.* per Cent. Bank Annuities.

Charge for Terminable Annuities:

1. Annuities for life and terms of years, per 29 Geo. 3. c. 41.; 48 Geo. 3. c. 142.; 10 Geo. 4. c. 24.; 3 Will. 4. c. 14.; 7 & 8 Vict. c. 83.; 16 & 17 Vict. c. 45.; 27 & 28 Vict. c. 43.; and 45 & 46 Vict. c. 51.
2. Red Sea and India Telegraph Company's Annuities, expiring 1908, per 25 & 26 Vict. c. 39.
3. Annuities created by the National Debt Act, 1883 (46 & 47 Vict. c. 54.) or this Act:
   (*a.*) Converted Annuities, representing Annuities which were to expire in 1885, created per 46 & 47 Vict. c. 54. s. 5., and prolonged till 1904, per 48 & 49 Vict. c. 43. s. 2.
   (*b.*) Chancery Funds Annuities, expiring in 1904, per 46 & 47 Vict. c. 54. s. 3, subject to adjustment, per ss. 4 and 8 of same Act.

(*c.*) Annuities to be created under this Act (which may be called Savings Banks Annuities of 1887) in lieu of three sets of Annuities of 1,200,000*l.* each set, expiring in 1889, 1893–4, and 1899, respectively, (called the "Rolling Annuities") created per 46 & 47 Vict. c. 54. s. 2, subject to adjustment, per ss. 4 and 8 of the same Act.

4. Minor Annuities:

(*a.*) Sinking Fund Annuity, created in 1853 to extinguish nominal increase to capital of debt caused by the conversion of 3 per Cent. Stock into 2½ per Cent. Stock, and expiring in 1894, per 33 & 34 Vict. c. 71. s. 69.

(*b.*) Trustee Savings Banks Deficiency Annuity, created in 1881 and expiring in 1908, per 43 & 44 Vict. c. 36.

(*c.*) Annuity created in 1883 in consideration of the cancellation of Consols and creation of similar amount of 2½ per Cent. Stock, and expiring in 1903, per 26 Vict. c. 14., 46 & 47 Vict. c. 54., and 47 Vict. c. 2.

(*d.*) Sinking Fund Annuity created in 1884, to extinguish nominal increase to capital of debt caused by the conversion of 3 per Cent. Stock into 2¾ and 2½ per Cent. Stock, and expiring in 1934, per 47 & 48 Vict. c. 23. s. 3.

Charge for Interest on—

Exchequer Bonds of 1853, issued under 16 & 17 Vict. c. 23.

Charge for Interest on—

Debt to Bank of England;
Debt to Bank of Ireland.

UNFUNDED DEBT:

Charge for Interest on—

Exchequer Bills authorised before the commencement of this Act;
Treasury Bills authorised before the commencement of this Act.

PART II. Section 2.

CHARGES EXCLUDED FROM PERMANENT ANNUAL CHARGE.

Deferred annuities contracted for since the passing of the Act 27 & 28 Vict. c. 46. (14th July 1864).

The principal and interest of Exchequer bonds issued for the purpose of—

(*a.*) The purchase of Suez Canal shares, or,

(*b.*) A loan for a railway at the Cape of Good Hope under the Cape of Good Hope Advance Act, 1885, 48 & 49 Vict. c. 7.

are not to be charged on the permanent annual charge.

SECOND SCHEDULE. Section 7.

LOANS EXCLUDED FROM THE LOCAL LOANS FUND ACCOUNT.

Any sums received in respect of—

(*a.*) Suez Canal Shares, or,

(*b.*) Any loan for a railway at the Cape of Good Hope under the Cape of Good Hope (Advance) Act, 1885, or, 48 & 49 Vict. c. 7.

(*c.*) Any loan made out of moneys advanced on the security of the Irish Church Fund,

shall not be paid to the Local Loans Fund.

THIRD SCHEDULE.

Section 21.

ACTS REPEALED.

Note.—A description or citation of a portion of an Act in this schedule is inclusive of the word, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Short Title.	Extent and Date of Repeal.
38 & 39 Vict. c. 45. -	The Sinking Fund Act, 1875.	Section one, from the first "during the financial year" down to "seven hundred "thousand pounds and," also the word "subsequent." Section two.
38 & 39 Vict. c. 89. -	The Public Works Loans Act, 1875.	Section fourteen; section fifteen down to "form part of the "Consolidated Fund," and from "The annuities, whether "terminable or perpetual," down to "in the names di- "rected by the warrant"; section sixteen; and section seventeen. As from the date at which an Act passed in the present session of Parliament authorising the advance of money for Local Loans comes into operation.
40 & 41 Vict. c. 27. -	Public Works Loans (Ireland) Act, 1877.	Section twelve; section thirteen; section fourteen; section fifteen; and section sixteen. As from the date at which an Act passed in the present session of Parliament authorising the advance of money for Local Loans comes into operation.
42 & 43 Vict. c. 77. -	Public Works Loans Act, 1879.	Section seven and section eight as from the date at which an Act passed in the present session of Parliament authorising the advance of money for Local Loans comes into operation, and without prejudice to any charge on the Consolidated Fund of any advance until the security for such advance is exchanged in pursuance of this Act.
43 Vict. c. 15. -	National Debt Act, 1880.	The whole Act.
43 & 44 Vict. c. 36. -	The Savings Bank Act, 1880.	Section one from "and shall be "added to and," down to "amount of the annuity."

Session and Chapter.	Short Title.	Extent and Date of Repeal.
44 & 45 Vict. c. 55. -	National Debt Act, 1881.	Section two from "during "twenty-five years" down to "Sinking Fund Act, 1875," (being sub-section two); and from "but the said annuities" to the end of the section; section three, down to "shall "be adopted" (being sub-sections one, two, and three); and section four.
46 & 47 Vict. c. 54. -	The National Debt Act, 1883.	Section two; and section nine down to "Post Office Savings Banks," (being sub-section one); as from the date of the exchange authorised by this Act. Section five and section seven; and schedule.
47 & 48 Vict. c. 2. -	National Debt Act, 1884.	Section three.
47 & 48 Vict. c. 23. -	National Debt (Conversion of Stock) Act, 1884.	Section one down to "for the "purpose of exchange under "this Act" (being sub-section one); section two; section three down to "the said "increase; and" and from "If the said account shows" down to "amount of such "saving" (being sub-section two), and from "and the per- "manent annual charge" to the end of the section; section four; section six down to "consent not having been "given" (being the end of sub-section five); and section seven from "the arrange- "ments made by the Trea- "sury" to the end of the section (being sub-sections two and three).
48 & 49 Vict. c. 43. -	The National Debt Act, 1885.	The whole Act.
49 & 50 Vict. c. 19. -	The National Debt Act, 1886.	The whole Act.

CHAPTER 17.

An Act to amend the Metropolis Management Acts.

[12th July 1887.]

WHEREAS since the date of the Metropolis Management Act 1855 (herein-after called "the principal Act") the parish of Saint Mary Battersea has greatly increased in the number of inhabited houses in population and in rateable value so as to

entitle the said parish to a more complete control and management of its local affairs and it is therefore expedient to amend the principal Act:

And whereas under the principal Act the parishes of Saint Margaret and Saint John the Evangelist Westminster were united and form the Westminster district and there is a board of works for that district constituted as in the said Act provided and acting under the provisions of that Act:

And whereas by an Act passed in the twenty-fifth year of King George the Second intituled "An Act for the better relief and employment of the poor in the parishes of Saint Margaret and Saint John the Evangelist in the city of Westminster and for cleansing the streets and repairing the highways within the said parishes" (in this Act called the Act of George the Second) the churchwardens and overseers of the poor and vestrymen of the said parishes are required to assemble and meet together in the parish church or vestry room of Saint Margaret annually upon Tuesday in Easter week in the forenoon or oftener from time to time if occasion shall require for the purpose of ascertaining the moneys or rates to be assessed within the limits of the said two parishes for the relief of the poor repairing of the highways and cleansing the streets within the said parishes; and it is provided that the said churchwardens overseers of the poor vestrymen and other inhabitants of the said parishes shall assemble and meet together in the said parish church or vestry room of Saint Margaret within twenty days after the said several rates have been ascertained as aforesaid to make one general and equal pound rate or assessment for the relief of the poor repairing the highways and cleansing the streets within the said parishes:

And whereas it is expedient that the said Acts should be amended and provision made with reference to the said parishes as hereinafter contained:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:

Interpretation.

1. In this Act—

"The Battersea Vestry" means the vestry of the parish of Saint Mary Battersea excluding Penge as incorporated by this Act;

"The Wandsworth District Board" means the board of works for the Wandsworth district as constituted by the principal Act and as it will be constituted after the twenty-fifth day of March one thousand eight hundred and eighty-eight.

Construction of Act.

2. The principal Act as amended by any subsequent Act and this Act shall be construed together as one Act.

Short title of 29 Vict. c. 31.

3. The Act passed in the twenty-ninth year of Her present Majesty chapter thirty-one intituled "An Act to provide for superannuation allowances to officers of vestries and other boards within the area of the Metropolis Local Management Act" may for the purposes of this Act and for all other purposes be cited as the Superannuation (Metropolis) Act 1866.

BATTERSEA.

4. From and after the twenty-fifth day of March one thousand eight hundred and eighty-eight (1.) The parish of Saint Mary Battersea excluding Penge shall cease to be united with the parishes mentioned in Schedule "B." of the principal Act as forming the Wandsworth district and the principal Act shall be read and have effect as if the said parish excluding Penge had been named in Part II. of Schedule "A." of the said Act and the vestry of the said parish shall become and be a body corporate by the name of the vestry of the parish of Saint Mary Battersea; (2.) The parishes named in the said Schedule "B." (other than the said parish of Saint Mary Battersea) as forming the Wandsworth district shall form the Wandsworth district for the purposes of the said Act; (3.) The board of works for the Wandsworth district shall continue to be a body corporate by the name of the board of works for the Wandsworth district; (4.) No person elected a member of the Wandsworth District Board by the Battersea Vestry shall remain a member of that board and the power of that vestry to elect any member of that board shall as from that date cease. Separation of Battersea from the Wandsworth district.

5. The Battersea Vestry shall on the twenty-sixth day of March one thousand eight hundred and eighty-eight elect one person to be a member of the Metropolitan Board of Works and thereupon the person elected by the Wandsworth District Board as a member of the Metropolitan Board of Works whose term of office would have expired in June one thousand eight hundred and eighty-eight shall go out of office.

The member of the Metropolitan Board of Works first elected by the Battersea Vestry under this Act shall go out of office on the second Wednesday in June one thousand eight hundred and eighty-eight. Battersea Vestry to elect one member of the Metropolitan Board of Works.

6. From and after the said twenty-sixth day of March the Wandsworth District Board shall be entitled to elect two persons to be members of the Metropolitan Board of Works instead of the three whom they were authorised to elect under the principal Act as amended by the Metropolis Management Amendment Act 1885. Wandsworth District Board to elect two members of the Metropolitan Board of Works.

7. All the provisions of the principal Act as to election qualification disqualification and retirement of members of the Metropolitan Board of Works and the filling up of vacancies shall subject to this Act apply to the members of that Board by this Act authorised to be elected. Election, &c. of such members.

8. All byelaws and regulations made by the Wandsworth District Board and subsisting on the twenty-fifth day of March one thousand eight hundred and eighty-eight shall continue in force in the parish of Saint Mary Battersea and be enforceable by the Battersea Vestry instead of the Wandsworth District Board until repealed or altered in accordance with the law applicable thereto. Byelaws, &c. in Battersea.

Property, claims, &c. of district board apportioned.

9. On and after the said twenty-fifth day of March one thousand eight hundred and eighty-eight—

(1.) The property of the Wandsworth District Board herein-after described viz.:—

The hereditaments offices and buildings of the Wandsworth District Board situate in Battersea Rise Battersea;

The furniture and fittings of the said offices and buildings;

All hereditaments belonging to the Wandsworth District Board situate within the parish of Saint Mary Battersea;

All chattels belonging to the Wandsworth District Board used solely for the purposes of the said parish of Saint Mary Battersea;

shall vest in and become the property of the Battersea Vestry.

(2.) The property then belonging to the Wandsworth District Board and not described in the preceding paragraph shall remain and be the property of the Wandsworth District Board.

(3.) The Battersea Vestry shall within three calendar months from the twenty-fifth day of March one thousand eight hundred and eighty-eight pay to the Wandsworth District Board the sum of two thousand one hundred and seventy-six pounds in full satisfaction for the hereditaments offices buildings furniture and fittings of the Wandsworth District Board situate in Battersea Rise Battersea and transferred to the Battersea Vestry under this Act.

(4.) All sums due by the Wandsworth District Board to the Metropolitan Board of Works shall be apportioned between the Wandsworth District Board and the Battersea Vestry on the basis of the said vestry becoming liable for all sums due in respect of their parish and of the Wandsworth District Board remaining liable for all sums due in respect of other parts of their district and such apportionment shall be carried into effect by a deed and until such apportionment all such sums shall remain and be a debt of the Wandsworth District Board as constituted by the principal Act to the Metropolitan Board of Works and any moneys payable by the said district board in respect thereof shall notwithstanding anything in this Act contained be levied and paid in all respects as if this Act had not been passed.

(5.) The sums due by the Wandsworth District Board to the Metropolitan Board of Works and apportioned to the Wandsworth District Board shall be a debt of the Wandsworth District Board to the Metropolitan Board of Works and the Battersea Vestry shall not be liable to pay the same or any part thereof and no security therefor shall operate against the said vestry or any property of the said vestry or rates leviable by them.

(6.) The sums due by the Wandsworth District Board to the Metropolitan Board of Works and apportioned to the Battersea Vestry shall be a debt of the Battersea Vestry to the Metropolitan Board of Works and the Wandsworth District Board shall not be liable to pay the same or any part thereof and no security therefor shall operate against the Wandsworth District Board or any property of the said district board.

(7.) The Battersea Vestry shall become liable to forthwith pay to the Wandsworth District Board: (1) the amount of all outstanding accounts and all expenses incurred for work undertaken or done solely for or within the parish of Saint Mary Battersea; and (2) a proportion of the general establishment charges and expenses of the Wandsworth District Board up to the twenty-fifth day of March one thousand eight hundred and eighty-eight based upon the rateable value of the property comprised in the said parish and in the other parishes forming the Wandsworth district respectively according to the valuation list then in force; and the Wandsworth District Board shall become and be liable to forthwith pay to the Battersea Vestry all unexpended moneys raised from or on account of the said parish and then in the hands of the Wandsworth District Board and from time to time thereafter the said district board shall pay to the said vestry any moneys so raised as and when the same shall come to their hands.

As to parochial officers.

10. Any officers in the service of the Wandsworth District Board whose duties are confined solely or mainly to the parish of Saint Mary Battersea or whom the said district board at any time previously to the said twenty-fifth day of March one thousand eight hundred and eighty-eight shall by resolution declare ought fairly to be transferred to the service of the Battersea Vestry shall be transferred to the service of the said vestry upon the terms and conditions in each case of the appointment under the said district board; and with respect to every such officer and to any other officer of the said district board who shall within one year from the said day be appointed to an office in the service of the Battersea Vestry the time during which he shall have been in the service of the Wandsworth District Board shall in computing the time of his service for the purpose of superannuation under the Superannuation (Metropolis) Act 1866 be added to the time during which he shall have been in the service of the Battersea Vestry provided that every such resolution shall state the grounds on which the Wandsworth District Board considers that the officer or officers named therein ought fairly to be transferred to the service of the Battersea Vestry.

29 & 30 Vict. c. 31.

Arbitration in case of difference.

11. If any dispute or difference arise between the Wandsworth District Board and the Battersea Vestry as to the apportionment of any property claim demand debt or liability of the said district board the same shall be referred for determination to an arbitrator to be appointed by agreement between the said district board and vestry or (in default of agreement) by one of Her Majesty's Principal Secretaries of State on the application of the said district board and vestry or either of them.

Any person so appointed as arbitrator shall have power to give such directions as he may think expedient with reference to such apportionment and to fix the amount of any compensation for loss of office to which in his opinion any of the officers of the Wandsworth District Board may be entitled in consequence of this Act and as from the date of the award of such arbitrator the said property claims demands debts and liabilities shall be transferred and vest

in accordance with the same and any such award shall be final and conclusive.

There shall be paid to such arbitrator by the Battersea Vestry any expenses incurred by him or under his directions in relation to any arbitration or award made by him under this section and any inquiry or inquiries relative thereto including the expenses of any witnesses summoned by such arbitrator and a sum to be fixed by such Secretary of State for the services of such arbitrator if the arbitrator be appointed by him.

All sums awarded for compensation and all expenses shall be paid by the said vestry.

38 & 39 Vict. c. 55. The provisions of section one hundred and eighty of the Public Health Act 1875 (regulations as to arbitration) shall so far as applicable and subject to the provisions of this Act apply to any arbitration under this Act.

WESTMINSTER.

Dissolution of district board of Westminster and incorporation of united vestry.

12. From and after the twenty-fifth day of March one thousand eight hundred and eighty-eight the Westminster district as constituted by and for the purposes of the principal Act shall cease to exist and the board of works for that district shall be dissolved and the said Act shall be read and have effect as if the parishes of Saint Margaret and Saint John the Evangelist Westminster had been named in Part II. of Schedule A. of the said Act and were to be considered as one parish electing one member of the Metropolitan Board of Works and the vestries of the said parishes shall from that date become and be a body corporate by the name of the united vestry of the parishes of Saint Margaret and Saint John the Evangelist Westminster.

Property, claims, &c. of Westminster Board to vest in the vestry.

13. From and after the said twenty-fifth day of March one thousand eight hundred and eighty-eight all property claims assets debts liabilities and obligations of the board of works for the Westminster district together with all duties and powers of the said board shall vest in and be assumed by the united vestry of the parishes of Saint Margaret and Saint John the Evangelist Westminster.

Byelaws, &c. in Westminster.

14. All byelaws and regulations made by the board of works for the Westminster district and subsisting on the twenty-fifth day of March one thousand eight hundred and eighty-eight shall continue in force in the parishes of Saint Margaret and Saint John the Evangelist Westminster and be enforceable by the said united vestry until repealed or altered in accordance with the law applicable thereto.

As to contracts, &c. and actions of Westminster Board prior to passing of Act.

15. All purchases sales conveyances grants assurances deeds contracts bonds and agreements made and entered into before the twenty-fifth day of March one thousand eight hundred and eighty-eight by to or with the board of works for the Westminster district shall be as binding and of as full force and effect in every respect against or in favour of the said united vestry and may be enforced as fully and effectually as if instead of the said district board the said united vestry had been a party thereto and any

action suit or other proceeding pending by or against the said district board on the said twenty-fifth day of March may be maintained prosecuted or continued by or in favour of or against the said united vestry as the case may be in the same manner and as effectually as the same might have been maintained prosecuted or continued by or in favour of or against the said district board if this Act had not been passed.

Westminster Board officers.

16. The officers in the service of the board of works for the Westminster district on the said twenty-fifth day of March one thousand eight hundred and eighty-eight shall on that day be transferred to the service of the united vestry of the said parishes upon the same terms and conditions and for the performance of the same duties in each case as those under and for the performance of which they hold their appointment under the board of works for the said district; and with respect to every such officer and to any other officers of the said board of works who shall within one year from the passing of this Act be appointed to an office in the service of the said united vestry the time during which he shall have been in the service of the said district board shall in computing the time of his service for the purpose of the Superannuation (Metropolis) Act 1866 be added to the time during which he shall have been in the service of such vestry.

Altering time and place of Westminster vestry meetings.

17. So much of the Act of George the Second as requires the meetings of churchwardens overseers of the poor and vestrymen and other inhabitants of the parishes of Saint Margaret and Saint John the Evangelist Westminster therein mentioned to be held in the parish church or vestry room of Saint Margaret at the times therein mentioned is hereby repealed and instead thereof the said meetings shall be held at the Town Hall Caxton Street in the city of Westminster and the first of the said meetings shall be held within seven days before or after the twenty-fifth day of March in each year and the second of the said meetings shall be held within twenty days after such first meeting for the several purposes for which the said meetings are respectively required to be held for the purposes of the Act of George the Second.

Payment of collectors of rates in Westminster.

18. It shall be lawful for the united vestry of the parishes of Saint Margaret and Saint John the Evangelist Westminster at any meeting held for the purposes of the Act of George the Second to resolve that the collector or collectors of rates shall be paid by salary instead of (as provided by section six of the Act of George the Second) by an allowance in the pound on the amount collected provided that such salary does not exceed the amount which under the provisions of the said Act might have been payable to such collector or collectors.

Short title.

19. This Act may be cited for all purposes as the Metropolis Management (Battersea and Westminster) Act 1887.

CHAPTER 18.

An Act to amend the Trusts (Scotland) Act, 1867.

[12th July 1887.]

30 & 31 Vict. c. 97.

WHEREAS it is expedient to amend the Trusts (Scotland) Act, 1867:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Trusts (Scotland) Act, 1867, Amendment Act, 1887.

Power to trustees to make abatement of rent.

2. In addition to the powers conferred upon trustees by the second section of the Trusts (Scotland) Act, 1867, in all trusts to which that section applies the trustees shall have power to make abatement or reduction, either temporary or permanent, of the rent stipulated in any lease of lands let for agricultural or pastoral occupation, or for both purposes, and to accept renunciations of leases of any such subjects.

Past abatement of rent not liable to challenge.

3. No abatement or reduction of rent, or acceptance of renunciation of any such lease, heretofore made by trustees, shall be liable to be challenged, which would have been lawful if made after the passing hereof.

CHAPTER 19.

An Act to provide for the Fencing of Quarries.

[19th July 1887.]

WHEREAS it is expedient to provide for the fencing of quarries in England and Wales:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Quarry (Fencing) Act, 1887.

Commencement of Act.

2. This Act shall not come into operation until the first day of January one thousand eight hundred and eighty-eight.

Fencing of quarries.

3. Where any quarry dangerous to the public is in open or unenclosed land, within fifty yards of a highway or place of public resort dedicated to the public, and is not separated therefrom by a secure and sufficient fence, it shall be kept reasonably fenced for the prevention of accidents, and unless so kept shall be deemed to be a nuisance liable to be dealt with summarily in manner provided by the Public Health Act, 1875.

4. In this Act— Interpretation.

The term "quarry" includes every pit or opening made for the purpose of getting stone, slates, lime, chalk, clay, gravel, or sand, but not any natural opening.

5. This Act shall not extend to Scotland and Ireland. Extent of Act.

CHAPTER 20.

An Act to make better provision for the prevention and punishment of Crime in Ireland, and for other purposes relating thereto. [19th July 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PRELIMINARY INQUIRY.

1.—(1.) Where a sworn information has been made that any offence to which this section applies has been committed in a proclaimed district, the Attorney-General for Ireland may, if he thinks fit, by order in writing under his hand, direct a resident magistrate, of whose legal knowledge and legal experience the Lord Chancellor shall be satisfied, to hold an inquiry under this section, and thereupon such resident magistrate may, if he so think fit, although no person may be charged before him with the commission of such crime, sit at a police court, when the offence has been committed in Dublin, or at the place where the petty sessions for the petty sessional district in which the said offence has been committed are usually held, and examine on oath concerning such offence any person whom he has reason to believe to be capable of giving material evidence concerning such offence, other than any person confessing himself or herself to be the offender or the husband or wife of such person, and shall take the deposition of such witness, and, if he see cause, may bind such witness by his own recognizance to appear and give evidence at the next petty sessions, or when called upon within three months from the date of such recognizance: Provided that no sitting of any inquiry under this section shall commence except between the hours of 10 A.M. and 6 P.M.: Provided also, that a shorthand writer shall be in attendance at such inquiries, and shall take down the questions of the magistrate, and the answers of each witness, and such questions and answers, when transcribed, shall be annexed to the deposition of the witness: Provided also, that upon any person being accused of a crime respecting which an inquiry under this section has been held, such accused person, on his being returned for trial, or his solicitor, shall forthwith be supplied with copies of all depositions taken at any inquiry under this section of any witness to be called against him. Inquiry by order of Attorney-General.

(2.) The enactments contained in the Petty Sessions (Ireland) Act, 1851, section 13, relating to the compelling of the attendance 14 & 15 Vict. c. 93.

of a witness before a justice and to a witness attending before a justice and required to give evidence concerning the matter of an information or complaint for an indictable offence or concerning the matter of an information or complaint in respect of an offence punishable upon summary conviction, as the case may be, shall apply for the purposes of this section as if they were re-enacted herein and in terms made applicable thereto: Provided, that in case a warrant shall be issued for the arrest of any witness in the first instance, and without any summons having previously been served and disobeyed, such witness shall, on demand, be entitled to receive from the resident magistrate holding the inquiry a copy of the information or complaint on which the warrant for his arrest was issued.

(3.) Where a witness, examined at an inquiry under this section, is under the age of twelve years, the parent or guardian of such witness, or the relative or friend with whom such witness usually resides, shall be entitled to attend at such inquiry.

(4.) A resident magistrate, holding an inquiry under this section, shall himself conduct such inquiry, and shall not permit any other person to question or examine any witness.

(5.) A witness examined under this section shall not be excused from answering any question on the ground that the answer thereto may criminate, or tend to criminate, himself:

Provided that—

(A.) A witness who answers truly all questions which he is required to answer, shall be entitled to a certificate under the hand of the magistrate making such examination, stating that such witness has so answered, and such a certificate shall be a bar to all criminal proceedings against such witness in respect of any offence, not being a felony, as to which he has been examined in such inquiry; and

(B.) Any confession or answer by a person to a question put at such examination shall not, except in the case of any criminal proceeding for perjury committed at or after the holding of such inquiry, be, in any proceeding, civil or criminal, admissible in evidence against such person, or the husband or wife of such person;

(C.) Provided that if any person has been charged with the commission of the crime which is the subject of the inquiry, no witness, while the said charge is pending, shall be compelled to answer who has been called to give evidence for the defence of such accused person.

(6.) Except with the consent of the witness under examination, no person other than the magistrate and other official person, shall be present at such inquiry.

Save as aforesaid, a witness examined under this section concerning an offence shall not be required to answer any question which he might lawfully refuse to answer on the ground of privilege, if he were being examined as a witness at the trial of a person charged with that offence.

(7.) A magistrate who conducts the examination under this section of a person concerning any offence shall not, if such offence

is punishable on summary conviction, take part in the hearing and determination of a charge for that offence; and shall not, if such offence is an indictable offence, take part in the taking depositions against or committing for trial any person for such offence.

(8.) In case any witness examined under this section shall not speak English, the interpreter employed shall not be a policeman.

(9.) The offences to which this section applies are any felony or misdemeanor and any offence punishable under this Act, committed in a proclaimed district, whether committed before or after the passing of this Act, provided that no inquiry shall be held under this section concerning any offence punishable under this Act committed in any district before the proclamation of such district, unless such offence would have been indictable if this Act had not passed, and unless such offence was committed since the expiry of the Prevention of Crime (Ireland) Act, 1882. 45 & 46 Vict. c. 25.

(10.) Every summons under this section shall be in the form in the schedule to this Act, or to the like effect.

Every warrant to commit a witness to prison for refusing to answer a question put to him on an examination held under this section shall set out the question which the witness refused to answer.

There shall be published quarterly in the "Dublin Gazette" a return showing the number of inquiries held during the preceding quarter, the hours during which such inquiries have been held, the number of days occupied, the number of summonses issued, the number of witnesses examined, the names of, and the sentences on, the persons committed for contempt, and the result, if any, of each inquiry.

SUMMARY JURISDICTION.

Extension of summary jurisdiction.

2. Any person who shall commit an offence mentioned in sub-section 3 (*a*) of this section anywhere in Ireland, or shall commit any of the following offences in a Proclaimed District may be prosecuted before a court of summary jurisdiction under this Act—

(1.) Any person who shall take part in any criminal conspiracy now punishable by law to compel or induce any person or persons either not to fulfil his or their legal obligations, or not to let, hire, use, or occupy any land, or not to deal with, work for, or hire any person or persons in the ordinary course of trade, business, or occupation; or to interfere with the administration of the law:

(2.) Any person who shall wrongfully and without legal authority use violence or intimidation—

(*a.*) to or towards any person or persons with a view to cause any person or persons either to do any act which such person or persons has or have a legal right to abstain from doing, or to abstain from doing any act which such person or persons has or have a legal right to do; or

(*b.*) to or towards any person or persons in consequence, either of his or their having done any act which he or they had a

legal right to do, or of his or their having abstained from doing any act which he or they had a legal right to abstain from doing:

(3.)—(*a.*) Any person who shall take part in any riot or unlawful assembly; or

(*b.*) within twelve months after the execution of any writ of possession of any house or land shall wrongfully take or hold forcible possession of such house or land or any part thereof; or

(*c.*) shall assault, or wilfully and unlawfully resist or obstruct, any sheriff, constable, bailiff, process server, or other minister of the law, while in the execution of his duty, or shall assault him in consequence of such execution:

(4.) Any person who shall incite any other person to commit any of the offences herein-before mentioned.

SPECIAL JURY AND REMOVAL OF TRIAL.

Order for special jury.

3. Where an indictment for a crime committed in a proclaimed district has been found against a defendant, or a defendant has been committed for trial for such crime, and the trial is to be by a jury before a court in Ireland other than a court of quarter sessions, the High Court shall on an application by or on behalf of the Attorney General for Ireland or a defendant make an order, as of course, that the trial of the defendant or the defendants if more than one shall be by a special jury.

Change of place of trial.

4.—(1.) Whereas it is expedient to amend the law relating to the place of trial of offences committed in Ireland, for securing more fair and impartial trials, and for relieving jurors from danger to their lives, property, and business, be it enacted:

Where an indictment for a crime committed in a proclaimed district has been found against a defendant, or a defendant has been committed for trial for such crime, and the trial is to be at a court of assize for any county in a proclaimed district, or at a court of quarter sessions for any county or borough in a proclaimed district, the High Court on an application by or on behalf of the Attorney General for Ireland, and upon his certificate that he believes that a more fair and impartial trial can be had at a court of assize in some county to be named in the certificate, shall make an order as of course that the trial shall be had at a court of assize in the county named in the certificate.

The defendant or any defendant, if more than one, may in the prescribed manner and within the prescribed time apply to the High Court to discharge or vary any such order for the removal of a trial, upon the ground that the trial can be more fairly and impartially had in a county other than the county named in the order of removal, and thereupon the High Court may order that the trial shall be had in any county in which it shall appear that the trial can be most fairly and impartially had; if the court discharge or vary any such order for the removal of a trial, the court shall award that the reasonable costs incurred by the defendant in making the application shall be paid by the Crown.

Proclamation of Districts.

Proclamation of districts for the purposes of the preceding enactments of this Act.

5. The Lord Lieutenant, by and with the advice of the Privy Council, may, from time to time, when it appears to him necessary for the prevention, detection, or punishment of crime and outrage, by proclamation declare the provisions of this Act which relate to proclaimed districts or any of those provisions to be in force within any specified part of Ireland as from the date of the proclamation; and the provisions of this Act which are mentioned in the proclamation shall after the said date be in force within such specified part of Ireland, and that part of Ireland shall be a proclaimed district within the meaning of the provisions so mentioned. Any such proclamation shall be deemed to have expired if an Address is presented to Her Majesty by either House of Parliament, praying that such proclamation shall not continue in force.

This section shall not apply to the provisions of this Act relating to dangerous associations.

When any of the provisions of section two of this Act, relating to summary jurisdiction, are declared by proclamation to be in force in a district, such provisions shall apply to offences committed in the district after the passing of this Act, whether before or after the date of the proclamation.

When the provisions of section three or section four of this Act, relating to special juries or change of place of trial, are declared by proclamation to be in force in a district, such provisions shall apply to crimes committed in the district before or after the passing of this Act.

DANGEROUS ASSOCIATIONS.—ARMS.

Special proclamation putting into force the enactments of this Act relating to dangerous associations.

6. If the Lord Lieutenant is satisfied that any association—

(*a.*) formed for the commission of crimes; or

(*b.*) carrying on operations for or by the commission of crimes; or,

(*c.*) encouraging or aiding persons to commit crimes; or

(*d.*) promoting or inciting to acts of violence or intimidation; or

(*e.*) interfering with the administration of the law or disturbing the maintenance of law and order,

exists in any part of Ireland, the Lord Lieutenant, by and with the advice of the Privy Council, may from time to time by proclamation declare to be dangerous any such association or associations named or described in such proclamation.

(1.) A proclamation under the authority conferred upon the Lord Lieutenant by this section is in this Act referred to as a special proclamation.

(2.) A copy of every special proclamation shall be laid before each House of Parliament within seven days after the making thereof, if Parliament is then sitting, and if not, then within seven days after the next meeting of Parliament.

(3.) If within a period of fourteen days after a special proclamation has been laid before Parliament an address is presented to Her Majesty by either House of Parliament praying that such special proclamation shall not continue in force as to an association or associations named or described therein, such special proclamation shall be deemed to have expired so far as the same relates to such association or associations.

(4.) Whenever any special proclamation is issued under this Act, if Parliament be then separated by such adjournment or prorogation as will not expire within twenty days, such special proclamation shall be deemed to have expired at the end of a week from the date thereof, unless during that week Parliament shall be summoned to meet within twenty days from the date of the summons.

(5.) When a special proclamation expires or is revoked, the powers conferred by the seventh section of this Act shall for the time being cease to be in force in respect of the association or associations as to which such special proclamation has expired or been revoked, and any order of the Lord Lieutenant made under such special proclamation shall also cease to be in force.

(6.) The expression "crime" in this section means any felony or misdemeanor, and any offence punishable under this Act.

Prohibition of dangerous associations.

7. From and after the date of such special proclamation and as long as the same continues unrevoked or unexpired, the Lord Lieutenant in Council may from time to time, by order to be published in the prescribed manner, prohibit or suppress in any district specified in the order any association named or described in such special proclamation, or any association which appears to the Lord Lieutenant to be a dangerous association, and to have been, after the date of such special proclamation, formed or first employed for any of the purposes of any association named or described in such special proclamation. From and after the date of such order, and during the continuance thereof, every assembly or meeting of such association, or of the members of it as such members, in the specified district, shall be an unlawful assembly, and the association itself shall be an unlawful association; and every person calling together a meeting of such association in the specified district, or of any members thereof as such members, or knowingly taking part in any such meeting, or publishing with a view to promoting the objects of such association any notice of the calling together of any such meeting, or of the proceedings at such meeting, or contributing or receiving or soliciting in the specified district any contribution for the purposes of such association, or in any way taking part in the proceedings thereof in the specified district, or of any branch or meeting of it in such district, shall be guilty of an offence and may be prosecuted before a court of summary jurisdiction under this Act.

In this section, the term "association" includes any combination of persons whether the same be known by any distinctive name or not.

The Lord Lieutenant in Council may from time to time wholly or in part revoke any order made under this section.

Continuance of 44 & 45 Vict. c. 5. 49 & 50 Vict. c. 24.

8.—(*a.*) The Peace Preservation (Ireland) Act, 1881, as amended by the Peace Preservation (Ireland) Continuance Act, 1886, shall continue in force for five years from the passing of this Act and until the end of the then next session of Parliament.

(*b.*) A warrant under the said Act directing a search for arms or ammunition in houses, buildings, or places in a proclaimed district as defined by that Act shall be valid in law, notwithstanding that the houses, buildings, or places to be searched are not specified therein, further than as being houses, buildings, or places situated in a specified townland or municipal ward.

Provisions as to Special Jury, and Removal of Trial.

Special jury to be sworn like ordinary juries. 39 & 40 Vict. c. 78.

9. Where under this Act a trial is had by a special jury, the special jurors shall be taken by ballot in the manner provided by the nineteenth section of the Juries Procedure (Ireland) Act, 1876, from all the jurors upon the panel returned by the sheriff from the special jurors book.

Proceedings on an order of removal in Ireland.

10.—(1.) If an order for the removal of the trial of a crime to any county in Ireland has been made under this Act before the indictment is found, such crime may be inquired of by a grand jury of, and may be heard and determined in, the county named in the order of removal in like manner as if the crime had been committed in such county, and if the order is made after the indictment is found, such crime may be heard and determined as if the indictment had been found in the court to which the trial is removed.

(2.) In either case the defendant may be convicted and sentenced as if the crime had been committed in the county named in the order of removal, but the sentence of the court shall be carried into effect as if he had been tried in the county in which he would have been tried if the order had not been made, and the defendant shall, if necessary, be removed accordingly in pursuance of an order of the court in which he has been tried made for the purpose.

Punishment, Procedure, and Definitions.

Procedure for offence against Act.

11.—(1.) A person prosecuted before a court of summary jurisdiction under this Act shall be liable on conviction to imprisonment with or without hard labour for a term not exceeding six months and shall have the same right of appeal as he would have under the Summary Jurisdiction Acts in the case of any other summary conviction.

(2.) If any person licensed under the Acts relating to intoxicating liquors, is convicted under this Act, such conviction shall be entered in the proper register of licences, and may be directed to be recorded on the licence of the offender in the same manner, and when so recorded shall have the same effect, as if the conviction were a conviction for an offence against those Acts.

(3.) If an offence is prosecuted summarily under this Act the same shall be prosecuted before a court of summary jurisdiction in manner provided by the Petty Sessions (Ireland) Act, 1851, and subject to the provisions thereof, save so far as they are altered by the provisions of this section.

(4.) The proceedings for enforcing the appearance of the person charged, and the attendance of witnesses for the prosecution shall be the same as if the offence were an indictable offence.

(5.) Upon every proceeding before a court of summary jurisdiction for an offence under this Act, the evidence for the prosecution and defence shall be taken as depositions in the same manner as if the offence were an indictable offence, and such depositions shall be admissible in evidence on any appeal.

(6.) The court of summary jurisdiction shall within the police district of Dublin metropolis, be a divisional justice of that district, and elsewhere be two resident magistrates in petty sessions, one of whom shall be a person of the sufficiency of whose legal knowledge the Lord Lieutenant shall be satisfied, and the expression "resident magistrate" means a magistrate appointed in pursuance of the Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter thirteen, intituled "An "Act to consolidate the laws relating to the constabulary force in "Ireland." One resident magistrate may act alone in adjourning or postponing a court, or in doing any other thing antecedent to the hearing of a charge under this Act.

(7.) In hearing and determining at any quarter sessions an appeal under this Act, the county court judge and chairman of quarter sessions, or the recorder shall sit and act as sole judge.

(8.) Subject to rules of the High Court any jurisdiction vested by this Act in the High Court shall be exercised by the Queen's Bench Division, and may be exercised by any judge thereof.

Supplemental provisions as to proclamations and orders.

12.—(1.) Any order, notice, or other document of the Lord Lieutenant under this Act may be signified under his hand or under the hand of the Chief Secretary to the Lord Lieutenant.

(2.) Every proclamation and every special proclamation under this Act, shall provide for the manner of the promulgation thereof. Every proclamation and every special proclamation, and a notice of the promulgation thereof in the manner provided, shall be published in the Dublin Gazette.

(3.) The production of a printed copy of the Dublin Gazette, purporting to be printed and published by the Queen's authority, and containing the publication of any proclamation, special proclamation, order, or notice under this Act, shall be conclusive evidence of the contents of such proclamation, special proclamation, order, or notice, and of the date thereof, and in the case of a proclamation that the district specified in such proclamation is a proclaimed district within the meaning of the provisions of this Act mentioned in the proclamation, and in the case of a proclamation or a special proclamation, that such proclamation or special proclamation has been duly promulgated, and in the case of an order that it has been duly made.

(4.) A copy of every proclamation, not being a special proclamation, shall be laid before each House of Parliament within fourteen days after the making thereof, if Parliament is then sitting, and if not within fourteen days after the next meeting of Parliament.

Revocation of proclamation, and of special proclamation and order.

13. The Lord Lieutenant, by and with the advice of the Privy Council, may from time to time by a further proclamation or order revoke any proclamation, or any special proclamation, or any order under this Act. A copy of each such further proclamation shall be laid before Parliament within fourteen days if Parliament is then sitting, and if not, within fourteen days after the next meeting of Parliament.

Allowances to witnesses and others.

14. There shall be paid out of moneys provided by Parliament such allowances to officers and other persons acting in pursuance of this Act, and such expenses incurred in reference to any court exercising jurisdiction under this Act, and such expenses of persons charged, counsel, and witnesses, payable in pursuance of this Act, as the Lord Lieutenant, with the approval of the Commissioners of Her Majesty's Treasury, may from time to time direct.

Rules for procedure and matters to be prescribed.

15.—(6.) The Lord Lieutenant may, from time to time, by and with the advice of the Privy Council make, and when made revoke, add to, and alter rules in relation to following matters:—

(1.) In the case where a special jury is required, or where a trial is removed to any county in Ireland, in relation to the attendance, authority, and duty of sheriffs, gaolers, officers, and persons, the removal and custody of prisoners, the alteration of any writs, precepts, indictments, recognizances, proceedings, and documents, the transmission of indictments, recognizances, and documents, and the expenses of witnesses and the carrying of sentences into effect; also, in the case where a special jury is required, the number of jurors to be returned on any panel; and

(2.) In the case of the removal of a trial to a court of assize for a county in Ireland, in relation to due provision being made by the prescribed Crown Solicitor in the prescribed manner for the advance of money to defray the necessary costs of the defence, so far as they are occasioned by the removal of the trial, and for enabling the defendant or defendants and the witnesses required for the defence to attend the trial.

(3.) In relation to forms for the purposes of this Act, and to any matter by this Act directed to be prescribed; and

(4.) In relation to any matters which appear to the Lord Lieutenant, by and with the advice aforesaid, to be necessary for carrying into effect the provisions of this Act;

and any rules made in pursuance of this Act shall be judicially noticed and be of the same validity as if they were contained in this Act.

Power of Act to be cumulative.

16. Any powers or jurisdiction conferred by this Act on any court or authority in relation to any trial, offence, or matter shall be deemed to be in addition to and not in derogation of any other powers or jurisdiction of any court or authority subsisting at common law or by Act of Parliament in relation to such trial, offence, or matter:

Provided that no person shall be punished twice for the same offence.

Saving for proclamation.

17. Save as provided by this Act, the expiration or revocation of any proclamation or special proclamation or order shall not affect the validity of anything previously done thereunder.

Saving for trade unions. 34 & 35 Vict. c. 31. 39 & 40 Vict. c. 22. 38 & 39 Vict. c. 86.

18. An agreement or combination which, under the Trade Union Acts, 1871 and 1876, or the Conspiracy and Protection of Property Act, 1875, is legal, shall not, nor shall any act done in pursuance of any such agreement or combination, be deemed to be an offence against the provisions of this Act respecting conspiracy, intimidation, and dangerous associations.

Definitions.

19. In this Act, unless there is something in the context repugnant thereto :—

The expression "Lord Lieutenant" means the Lord Lieutenant of Ireland or other Chief Governor or Governors of Ireland for the time being.

A defendant shall be deemed to be committed for trial who has entered into a recognizance conditioned to appear and plead to an indictment or to take his trial upon any criminal charge, or who has been committed to prison there to await his trial for any offence.

The expression "county" includes a county of a city and a county of a town.

The expression "court of assize" means a court created by a commission of assize, of oyer and terminer, and of gaol delivery, or any of such commissions.

The expression "Attorney General" means the Attorney General acting on behalf of the Crown, and includes, in the case of any vacancy in office or inability to act, the Solicitor General so acting.

The expression "the Summary Jurisdiction Acts" means in the Dublin Metropolitan Police District the Acts regulating the powers and duties of justices of the peace and of the police in that district, and elsewhere in Ireland means "The Petty Sessions (Ireland) Act, 1851," and the Acts amending it. 14 & 15 Vict. c. 93.

The expression "prescribed" means prescribed by rules to be made under this Act.

The expression "writ of possession" includes any decree, warrant, order, or other document issued from any court directing possession to be given, or authorising possession to be taken, of any house or land.

The expression "intimidation" includes any words or acts intended and calculated to put any person in fear of any injury or danger to himself, or to any member of his family, or to any person in his employment, or in fear of any injury to or loss of property, business, employment, or means of living.

The expression "the High Court" means the High Court of Justice in Ireland.

Short Title.

Short title.

20. This Act may be cited as the Criminal Law and Procedure (Ireland) Act, 1887.

SCHEDULE.

FORM OF SUMMONS TO WITNESS. (PRELIMINARY INQUIRY.) Sect. 1 (10).

The Queen v. Persons unknown. } Petty Sessions District of
County of

Whereas it appears that [*here set out the nature of the offence*].

This is to command you to appear as a witness before me at , on the day of , at o'clock, then and there to be examined before me touching the premises.

(Signed) *A.B.*, Resident Magistrate.

Dated

To *C.D.*, of

CHAPTER 21.

An Act to limit the Powers of the Water Companies to cut off the Tenants Water Supply where the rate is paid by the landlord. [8th August 1887.]

WHEREAS it is expedient to make further provision with respect to the powers of companies supplying water for profit in England:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Water Companies (Regulation of Powers) Act, 1887. Short title.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. This Act shall apply to every water company which is a trading company supplying water for profit, and to which any of the provisions of the Waterworks Clauses Act, 1847, have been or shall be made applicable by any special Act or Provisional Order confirmed by Parliament, and every such special Act and Provisional Order shall be deemed to be amended by this Act, and shall be construed accordingly. Application of Act.

4. Where the owner and not the occupier is liable by law or by agreement with the water company to the payment of the water rate in respect of any dwelling-house or part of a dwelling-house occupied as a separate tenement, no water company shall cut off the water supply for nonpayment of the water rate, but such water rate, without prejudice to the other remedies of the company for enforcing payment thereof from such owner, shall, together with interest thereon at the rate of five pounds per centum per annum, computed from the expiration of one month from the time when the same has been claimed by the company until receipt thereof by the company, be a charge on such dwelling-house in priority to all other charges affecting the premises; and (without prejudice to such charge) the amount may be recovered, with the costs incurred, Water not to be cut off where the water rate is payable by the owner.

from the owner or from the occupier for the time being in the same manner as water rates may by law be recovered: Provided always, that proceedings shall not be taken against the occupier until notice shall have been given to him or left at his dwelling-house to pay the amount due for water rate out of the rent then due or that may thereafter become due from him, and he shall have omitted so to pay such water rate; and provided also, that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him, or which shall have accrued due from him since such notice shall have been given or left as aforesaid, and that every such occupier shall be entitled to deduct from the rent payable by him the sum so recovered from him or which he shall have paid on demand.

Penalty on cutting off of supply in contravention of the Act.

5. In the event of any such supply being cut off in contravention of this Act, the company cutting off the same shall be liable to a penalty not exceeding five pounds for each day during which the water shall remain cut off, which penalty shall be recoverable summarily from the company by, and shall be paid to, the person aggrieved.

CHAPTER 22.

An Act to amend the Public Libraries Acts.

[8th August 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

Short titles.

1. This Act may be cited as the Public Libraries Acts Amendment Act, 1887, and may, together with the Acts mentioned in the schedule hereto, be cited as the Public Libraries (England) Acts, 1855 to 1887.

Construction of Act.

2. This Act shall be construed with the Public Libraries (England) Acts, 1855 to 1884, and expressions used in this Act shall, unless the context requires a different construction, have the same meaning as in those Acts, and where any section in any of those Acts has been modified by a subsequent Act, the reference herein made to such section shall be construed to refer to the section so modified, and the reference shall have effect accordingly.

Extent of Act.

3. This Act shall not apply to Scotland, Ireland, or the city of London.

Definitions.

4. In this Act—

"Metropolis" shall mean the metropolis as defined by the Metropolis Management Act, 1855, excluding the city of London;

18 & 19 Vict. c. 120.

"Library authority" means the Council, Commissioners, Board, or other persons or authority carrying into execution the Public Libraries Acts.

"District board" means a district board constituted under the Metropolis Management Act, 1855, and "district" shall have a corresponding signification.

Lending library. 18 & 19 Vict. c. 70.

5. The power to erect, establish, and maintain a library, given by the Public Libraries Act, 1855 (herein-after called the principal Act) shall be extended so as to empower the library authority to establish and maintain a lending library without providing any separate building for containing the same, and to enable them to place such lending library under the care and superintendence of such person as they shall think fit, and in a building or room not appropriated for the purposes of the said Act, or erected, purchased, or rented by the library authority, and all the powers of the said Acts shall be applicable for the purposes of this section.

Amendment of Acts.

6. So much of section fifteen of the principal Act as incorporates with that Act certain clauses of the Towns Improvement Clauses Act, 1847, is hereby repealed.

The Public Libraries Amendment Act, 1877, shall have effect as if the Public Libraries Act, 1855, were recited therein.

General Provisions.

Borrowing by library authorities. 38 & 39 Vict. c. 55.

7. Sections two hundred and thirty-three, two hundred and thirty-four, and two hundred and thirty-six to two hundred and thirty-nine, both inclusive, of the Public Health Act, 1875, shall apply, with the necessary modifications, to all money borrowed by any library authority after the passing of this Act, as if the library authority were an urban sanitary authority and as if references to the Public Libraries (England) Acts, 1855 to 1887, were substituted in those sections and in the forms therein mentioned for references to the Sanitary Acts or the Public Health Act, 1875.

So much of section seventeen of the principal Act as incorporates the clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of money on mortgage or bond is hereby repealed except as to any money borrowed before the passing of this Act.

Transfer to Local Government Board of certain functions of Treasury.

8. The powers and duties of the Commissioners of Her Majesty's Treasury under the Public Libraries (England) Acts, 1855 to 1887, shall from and after the passing of this Act be transferred to the Local Government Board, and sections sixteen and eighteen of the principal Act shall be construed and have effect as if a reference to the approval of the Local Government Board were therein substituted for a reference to the approval of Her Majesty's Treasury.

Provision as to parish partly within and partly without a borough or district. 29 & 30 Vict. c. 114.

9. Where any parish is partly within and partly without any borough or district which shall have adopted or shall contemplate the adoption of the principal Act, the part of such parish without the borough or district shall, for the purposes of the fourth section of the Public Libraries Amendment Act (England and Scotland), 1866, be considered a parish within the meaning of the said section; and the overseers of the poor for the said parish shall, for the purposes of the said section, be considered the overseers of the part

of the parish situate without the borough or district, and the expenses referred to in the said section shall, so far as such part of the parish is concerned, be defrayed out of a rate to be levied by the overseers in such part of the parish, either as an addition to the poor rate, or as a separate rate to be made and recovered in the same way as a poor rate, and to be subject to the same rights of appeal.

Provisions affecting the Metropolis only.

Power for district in the metropolis to adopt the Act.

10. In the metropolis any district shall have power to adopt the principal Act, and for such purpose the said Act shall be altered and have effect as follows:—

(1.) Sections eight, nine, twelve, fifteen, twenty-one, and twenty-two shall be read as if the word "district" was substituted for the word "parish"; and the words "district board" instead of the word "overseers" and the word "vestry" as the case may be.

(2.) Section thirteen shall not apply, and instead thereof the following provisions shall have effect:—

The expenses of calling and holding the meeting of the ratepayers, whether the principal Act shall be adopted or not, and the expenses incurred by the Commissioners in carrying the said Act and the Acts amending the same into execution in any district, to such amount as shall be from time to time sanctioned by the district board, shall be paid out of the funds of the district board applicable to the general expenses incurred by them in the execution of the Metropolis Management Act, 1855, and the sums required for the purpose of defraying the expenses incurred by the Commissioners as aforesaid shall be paid by the district board to such person as shall be appointed by the Commissioners to receive the same, but nothing herein contained shall enable district boards to levy or expend for the purposes of the principal Act and the Acts amending the same any greater sum in any year than one penny in the pound.

See 34 & 35 Vict. c. 71. s. 3.

(3.) Section fourteen shall be read as if the words "district boards" were substituted for the word "vestries"; the word "district" for "parish"; and "funds applicable to the general "expenses incurred by the district board in the execution of "the Metropolis Management Act, 1855," for "money to be "raised for the relief of the poor," and section sixteen shall be read as if the words "district board" were substituted for the word "vestry," and the words "rates out of which the "expenses of the Commissioners are payable" for the words "rates levied in pursuance of this Act."

(4.) Where any parish has, previously to the passing of this Act, adopted the principal Act, or shall subsequently adopt the same:—

(*a.*) No person shall, by reason of being a ratepayer of such parish, be accounted as a ratepayer of the district of which it forms a part.

(*b.*) No representative on the district board for such parish shall take any part in any proceedings under this section.

(*c.*) Such parish shall not be called upon to contribute towards any expenses incurred, and no part of the funds of such parish shall be expended in or towards calling or holding the meeting of the ratepayers of the district, or carrying the Act into execution in the district.

(*d.*) And, in every respect, such parish shall, for the purposes of this section, be treated as if it were outside the district.

(*e.*) Any question of accounts arising between such parish and the other parishes in the district, or between such parish and the district, in consequence of this section, shall be decided finally by the Local Government Board.

Power of parish preserved.

11. This Act shall not deprive any parish in the metropolis of the power of adopting the principal Act, but after any district shall have adopted the said Act, no parish within such district shall also adopt it in manner provided by section one of the Public Libraries Amendment Act, 1877, or hold a meeting for considering its adoption, without the consent of the Local Government Board.

40 & 41 Vict. c. 54.

SCHEDULE.

PUBLIC LIBRARIES (ENGLAND) ACTS.

Section 1.

Session and Chapter.	Title.
18 & 19 Vict. c. 70.	The Public Libraries Act, 1855.
29 & 30 Vict. c. 114.	The Public Libraries Amendment Act, (England and Scotland) 1866.
34 & 35 Vict. c. 71.	The Public Libraries Act, 1855, Amendment Act, 1871.
40 & 41 Vict. c. 54.	The Public Libraries Amendment Act, 1877.
47 & 48 Vict. c. 37.	The Public Libraries Act, 1884.

CHAPTER 23.

An Act to amend the Incumbents Resignation Act, 1871.

[8th August 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Incumbents Resignation Act, 1871, Amendment Act, 1887, and the Incumbents Resignation Act, 1871 (herein-after called "the principal Act"), and this Act may together be cited as the Incumbents Resignation Acts, 1871 and 1887.

34 & 35 Vict. c. 44.

Construction of Act.

2. This Act shall be construed together with the principal Act, and the provisions herein contained shall have effect as though they had been fully and expressly included in the principal Act.

Definition of "terminable mortgage."

3. The expression "terminable mortgage" in this Act means any mortgage created for securing the repayment of any loan by annual instalments, payments in the nature of a rentcharge, or otherwise, in a limited number of years.

Pensions to vary with tithe averages.

4. In the case of every pension awarded after the passing of this Act the amount of every half-yearly payment on account of such pension shall vary and shall from time to time be regulated by the averages published, under the provisions of an Act passed in the sixth and seventh years of His Majesty William the Fourth, chapter seventy-one, in the month of January next preceding the date of every such half-yearly payment, except that, if no part of the income of the benefice is derived from tithe rentcharge, or glebe lands, then the pension shall not be subject to variation.

Amendment of 34 & 35 Vict. c. 44. s. 8.

5. Section eight of the principal Act shall be read as if the following words were added at the end of the section: "or be "an amount which shall not leave a sufficient income to secure "the due performance of the services of the church, according to "the scale of stipends set forth in the eighty-fifth section of the "Act of the first and second Victoria, chapter one hundred and "six"; and section eleven shall be read as if worded as follows: "The annual value of a benefice for the purposes of this Act shall "be the net annual value, exclusive of the parsonage, vicarage, or "other place of residence of the incumbent, after deducting all "rates, taxes, and charges assessed upon and payable out of the "benefice, which charges shall include the salary of any curate who "is compulsorily employed, and any annual payments in respect "of any terminable mortgage having at the time of the sitting of "the said Commission more than two years to run."

Set off of pension against sum due for dilapidations. 34 & 35 Vict. c. 43.

6. If a retired clerk shall on retirement have become liable to the payment to his successor of any sum on account of dilapidations under the Ecclesiastical Dilapidations Act, 1871, and shall not have paid such sum in manner in the said Act mentioned, it shall be lawful for the incumbent of the benefice for the time being to withhold the amounts due from time to time in respect of any pension granted under the principal Act and to apply the same in discharge of the sum due for dilapidations as aforesaid until the whole debt shall have been discharged.

Provided that the amount so withheld in any one year shall not exceed one half the total amount of the pension for such year without the consent of the bishop of the diocese in which such benefice shall be situate.

CHAPTER 24.

An Act to amend the Crofters Holdings (Scotland) Act, 1886. [8th August 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction. 49 & 50 Vict. c. 29.

1. This Act may be cited as the Crofters Holdings (Scotland) Act, 1887, and shall be read as part of the Crofters Holdings (Scotland) Act, 1886, herein-after called the principal Act.

Stay of proceedings for sale of crofter's effects.

2. Any crofter who has made or shall make an application to the Crofters Commission to fix a fair rent for his holding, and against whom legal proceedings have been taken for payment of rent, may apply, under the same or any subsequent application, to the Crofters Commission for an order prohibiting the sale of the crofter's effects upon the said holding by virtue of any decree for payment of such rent; and the Crofters Commission, if satisfied that such sale would have the effect of defeating in the case of such crofter the intention of the principal Act, may, upon such terms as to payment of rent or otherwise as they shall think fit, grant an order prohibiting such sale till the application to fix a fair rent has been finally determined.

Any application under this section shall be made within the following periods:

(1.) In the case of proceedings in dependence at the passing of this Act, within two months of the date hereof:

(2.) In the case of proceedings instituted after the passing of this Act, at any time before the expiration of the *inducice* in the action.

The Crofters Commission shall consider and determine applications under this section summarily, and they may ascertain the facts by means of affidavits, or by such inquiry as they may deem appropriate in each case. The powers conferred by this Act are in addition to those contained in sub-section four of section six of the principal Act, and where any crofter has, subsequent to the Crofters Holdings (Scotland) Act, 1886, coming into operation, granted a bill or promissory note at the request of his landlord for arrears of rent, the Crofters Commission shall not be precluded from dealing with such arrears under the said Act; and where any crofters shall have been called on to pay, and shall have paid, to the holder of such bill or note any larger sum than the Crofters Commission shall hold ought to be paid of such arrears, they may give relief by ordering repayment of such excess by the landlord, or authorise the deduction thereof from future rents in such instalments as they may fix.

As to notour bankruptcy of crofter.

3. Any crofter in whose favour an order has been granted under the immediately preceding section shall not, for the purposes of section one of the principal Act, be held to become notour bankrupt by reason of any decree obtained or diligence done before or during the subsistence of such order, and for the rent to which such order relates: Provided always, that this section shall not, after the decision of the Crofter's Commission on the arrears due by such

crofter, continue to apply to such decrees or diligence as shall not be invalidated by such decision.

Amendment of section 6 of 49 & 50 Vict. c. 29.

4. Section six, sub-section three, of the principal Act shall be read and construed as if the words "the first term of Whitsunday or Martinmas next following" were inserted between the words "and" and "the" in the said sub-section.

CHAPTER 25.

An Act to permit the conditional Release of First Offenders in certain cases. [8th August 1887.]

WHEREAS it is expedient to make provision for cases where the reformation of persons convicted of first offences may, by reason of the offender's youth or the trivial nature of the offence, be brought about without imprisonment:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to court to release upon probation of good conduct instead of sentencing to punishment.

1.—(1.) In any case in which a person is convicted of larceny or false pretences, or any other offence punishable with not more than two years imprisonment before any court, and no previous conviction is proved against him, if it appears to the court before whom he is so convicted that, regard being had to the youth, character, and antecedents of the offender, to the trivial nature of the offence, and to any extenuating circumstances under which the offence was committed, it is expedient that the offender be released on probation of good conduct, the court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a recognizance, with or without sureties, and during such period as the court may direct, to appear and receive judgment when called upon, and in the meantime to keep the peace and be of good behaviour.

(2.) The court may, if it thinks fit, direct that the offender shall pay the costs of the prosecution, or some portion of the same, within such period and by such instalments as may be directed by the court.

Provision in case of offender failing to observe conditions of his recognizances.

2.—(1.) If a court having power to deal with the offender in respect of his original offence, or any court of summary jurisdiction, is satisfied by information on oath that the offender has failed to observe any of the conditions of his recognizance, it may issue a warrant for his apprehension.

(2.) An offender, when apprehended on any such warrant, shall, if not brought forthwith before the court having power to sentence him, be brought before a court of summary jurisdiction, and that court may either remand him by warrant until the time at which he was required by his recognizance to appear for judgment, or until the sitting of a court having power to deal with his original offence, or may admit him to bail with a sufficient surety conditioned on his appearing for judgment.

(3.) The offender when so remanded may be committed to a prison, either for the county or place in or for which the court remanding him acts, or for the county or place where he is bound to appear for judgment, and the warrant of remand shall order that he be brought before the court before which he was bound to appear for judgment, or to answer as to his conduct since his release.

Conditions as to abode of the offender.

3. The court, before directing the release of an offender under this Act, shall be satisfied that the offender or his surety has a fixed place of abode or regular occupation in the county or place for which the court acts, or in which the offender is likely to live during the period named for the observance of the conditions.

Definition of "court."

4. In this Act the term "court" includes a court of summary jurisdiction.

Short title.

5. This Act may be cited as the Probation of First Offenders Act, 1887.

CHAPTER 26.

An Act to provide Compensation to the Occupiers of Allotments and Cottage Gardens for crops left in the ground at the end of their tenancies. [8th August 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Allotments and Cottage Gardens Compensation for Crops Act, 1887.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland or to the metropolis.

Commencement of Act.

3. This Act shall come into force on the first day of January one thousand eight hundred and eighty-eight, which day is in this Act referred to as the commencement of this Act.

Definitions.

4. In this Act—

"The metropolis" means the city of London and all parishes and places mentioned in Schedules A, B, and C to the Metropolis Management Act, 1855. 18 & 19 Vict. c. 120.

"Allotment" means any parcel of land of not more than two acres in extent held by a tenant under a landlord and cultivated as a garden or as a farm, or partly as a garden and partly as a farm.

"Cottage garden" means an allotment attached to a cottage.

"Holding" means an allotment or cottage garden.

"Tenant" means the holder of a holding under a landlord for any term, and includes the legal personal representative of a deceased tenant.

"Landlord" means the person for the time being entitled to receive the rents and profits of any holding.

"Person" includes a body of persons and a corporation aggregate or sole.

"Contract of tenancy" means the letting of land for any term.

"Determination of tenancy" means the cesser of a contract of tenancy by effluxion of time or from any other cause.

The designations of landlord and tenant shall for the purposes of this Act continue to apply to the parties to a contract of tenancy until the conclusion of any proceedings taken under this Act on the determination of a tenancy.

Compensation.

5. Upon the determination of the tenancy of a holding after the commencement of this Act the tenant shall be entitled notwithstanding any agreement to the contrary to obtain from the landlord compensation in money for the following matters and things, that is to say:—

(*a.*) For crops, including fruit, growing upon the holding in the ordinary course of cultivation, and for fruit trees and fruit bushes growing thereon, which have been planted by the tenant with the previous consent in writing of the landlord.

(*b.*) For labour expended upon and for manure applied to the holding since the taking of the last crop therefrom in anticipation of a future crop.

(*c.*) For drains and for any outbuildings, pigsties, fowlhouses, or other structural improvements made by the tenant upon his holding with the written consent of his landlord.

Deduction from compensation on account of rent or breach of contract.

6. In the ascertainment of the amount of compensation payable to the tenant under this Act, any sum due to the landlord in respect of rent or of any breach of the contract of tenancy or wilful or negligent damage committed or permitted by the tenant shall be taken into account in reduction of the amount of compensation.

Compensation if not agreed upon to be settled by an arbitrator.

7. The landlord and tenant may agree upon the amount and time of payment of compensation to be paid under this Act. If in any case they do not so agree, the difference shall be settled by an arbitrator.

Appointment of arbitrator.

8. If the landlord and tenant concur they may within twenty-eight days after the determination of the tenancy jointly appoint such arbitrator. If they do not concur, such arbitrator shall be appointed in the following manner:—

(1.) The landlord and tenant or either of them may apply personally or in writing to the justices of the peace, acting for the petty sessional division in which the holding is situated, in petty sessions, and such justices shall upon the receipt of the application appoint one of their number not being interested in the holding, or other competent person not being interested as aforesaid, to act as such arbitrator.

(2.) If before award the person so appointed dies or becomes incapable of acting or for seven days after his appointment fails to act the justices shall appoint in manner aforesaid another arbitrator.

Justices if practicable to appoint person to act as arbitrator without remuneration.

9. The justices shall in all cases in which it is practicable obtain the consent of the arbitrator to act without remuneration, and in any case in which it is impracticable to obtain such consent they shall direct that the arbitrator shall be paid such moderate sum as

they consider will reasonably remunerate him for his time and expenses.

Time for commencement of arbitration.

10. The arbitrator shall proceed to determine any difference referred to him under this Act within seven days after his appointment.

Power for arbitrator to administer oaths.

11. The arbitrator, if he shall consider it desirable or necessary so to do, shall have power to call for the production of any document which is in the possession of either party, or which either party can produce, and which to the arbitrator seems necessary for determination of the difference referred to him, and to take the examination of the parties and witnesses on oath and to administer oaths and take affirmations, and if any person so sworn or affirming wilfully and corruptly gives false evidence he shall be guilty of perjury.

Power to proceed in absence of either party.

12. The arbitrator may proceed in the absence of either party after notice given to both parties.

Form of award and time for its delivery.

13. The award shall be in writing signed by the arbitrator, and shall be ready for delivery within fourteen days after his appointment, or within such extended time not exceeding in the whole twenty-eight days after his appointment as the parties may agree upon in writing.

Costs of arbitration.

14. The costs (if any) of and attending the arbitration including the remuneration (if any) of the arbitrator shall be borne and paid by the parties in such proportion as to the arbitrator appears just, and the award may direct the payment of the whole or any part of the aforesaid costs by the one party to the other, or may declare that no costs shall be payable.

Day for payment.

15. The award shall fix a day not sooner than fourteen days after the delivery of the award for the payment of the money awarded for compensation, costs, or otherwise.

Award to be final.

16. The award shall be final and conclusive in every case; and neither the submission to arbitration nor the award shall be made a rule of any court, or be removable by any process into any court.

Recovery of compensation money.

17. Where any money agreed or awarded to be paid for compensation, costs, or otherwise, is not paid within fourteen days after the time when it is agreed or awarded to be paid, it shall be recoverable upon order made by the judge of the county court within the district of which the holding is situated, as money ordered to be paid by a county court under its ordinary jurisdiction is recoverable.

No claim to be made under the Agricultural Holdings (England) Act for any matter or thing for which a claim is made under this Act.

18. No claim for compensation shall be made under the Agricultural Holdings (England) Act, 1883, for any matter or thing in respect of which a claim for compensation is made under this Act, and in any case in which the provisions of that Act and of this Act conflict the provisions of this Act shall prevail.

CHAPTER 27.

An Act to amend the Law with respect to weighing Cattle in Markets and Fairs. [8th August 1887.]

WHEREAS it is expedient to afford the like facilities for weighing cattle in markets and fairs as are afforded for weighing goods and carts under the Markets and Fairs Clauses Act, 1847, in markets and fairs to which that Act applies:

10 & 11 Vict. c. 14.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Markets and Fairs (Weighing of Cattle) Act, 1887.

Application of Act.

2. This Act, save as is herein-after provided, shall apply to all markets and fairs in which tolls are for the time being authorised to be taken and actually are taken in respect of cattle by any company, corporation, or person; and every such company, corporation, or person is in this Act called "the market authority."

Interpretation.

3. In this Act the word "cattle" includes ram, ewe, wether, lamb, and swine.

Accommodation for weighing cattle to be provided.

4. In or near to every market or fair to which this Act applies, the market authority shall provide and maintain sufficient and proper buildings or places for weighing cattle brought for sale within the market or fair, and shall keep therein or near thereto weighing machines and weights for the purpose of weighing cattle, and shall appoint proper persons to have charge of such machines and weights, and to afford the use of such machines and weights to the public for weighing cattle as may be from time to time required.

The market authority shall have the accuracy of such weighing machines and weights tested at least twice in every year by the local inspector of weights and measures of and for the county, borough, or place where the market is situate, and the cost of such testing shall be borne by such market authority.

If the market authority fail to comply with the provisions of this section, it shall not be lawful for them to demand, receive, or recover any toll whatever in respect of any cattle brought to the market or fair for sale so long as such failure continues, but this enactment shall not apply till after the first day of January one thousand eight hundred and eighty-eight.

Any person who demands or receives any toll in respect of cattle in any market or fair to which for the time being this Act applies, but in which the market authority have not complied with the provisions of this Act, shall be liable on summary conviction to a fine not exceeding five pounds.

Cattle to be weighed at option of seller or buyer.

5. Every person selling, offering for sale, or buying any cattle in a market or fair provided with accommodation for weighing cattle may require such cattle to be weighed, and the tolls payable in respect of the weighing shall be paid by the person requiring the cattle to be weighed to the person authorised by the market authority to receive the tolls.

6. Every person appointed by the market authority to weigh cattle sold in the market or fair, who— Penalty for refusal to weigh cattle or to give ticket, &c.

(*a.*) refuses or neglects to weigh the same when required; or

(*b.*) refuses or neglects to deliver to the seller or buyer a ticket specifying the true weight of the cattle weighed; or

(*c.*) gives to any person a false ticket or account of any cattle weighed;

shall be liable on summary conviction to a fine not exceeding forty shillings and not less than half a crown.

7. Every person who knowingly acts or assists in committing any fraud respecting the weighing of any cattle weighed in pursuance of this Act, shall for every such offence be liable on summary conviction to a fine not exceeding five pounds. Penalty for fraud.

8. The market authority may from time to time (unless otherwise expressly provided by any Act) demand and receive in respect of the weighing of cattle tolls not exceeding the amounts specified in the schedule to this Act, or such other amounts as may be authorised by the Local Government Board to be taken by the market authority; and sections thirty-six to forty-one (both included) of the Markets and Fairs Clauses Act, 1847, shall apply to the tolls mentioned in this section, as if this Act were the special Act, and the market authority were the undertakers. Tolls for weighing cattle. 10 & 11 Vict. c. 14.

9.—(1.) The market authority of any market or fair may at any time apply to the Local Government Board to be exempted from the provisions of this Act on the ground that the sale of cattle at such market or fair is or is likely to be so small as to render it inexpedient to enforce the provision and maintenance of a place for weighing cattle and of a weighing machine under this Act; and thereupon the Local Government Board may by order declare that this Act shall not apply to such market or fair until after the expiration of a time not exceeding three years to be limited by such order. Any order made under this section may at any time be wholly or partially rescinded, altered, or extended by any subsequent order of the Local Government Board. Power to exempt certain markets and fairs from provisions of Act.

(2.) This Act shall not apply to any market or fair to which any order under this section applies so long as it is declared by such order that this Act shall not apply thereto.

10. In the application of this Act to Scotland and Ireland this Act shall be read and construed as if for the expression "the Local Government Board" there were substituted, as regards Scotland, the expression "the Secretary for Scotland," and as regards Ireland, the expression "the Local Government Board for Ireland." Application of Act to Scotland and Ireland.

THE SCHEDULE.

	Not exceeding
For every head of cattle other than sheep or swine - -	Twopence.
For sheep or swine, every five or less number - - -	One penny.

CHAPTER 28.

An Act to consolidate and amend the Law relating to Fraudulent Marks on Merchandise.

[23rd August 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Merchandise Marks Act, 1887.

Offences as to trade marks and trade descriptions.

2.—(1.) Every person who—

(*a*) forges any trade mark; or

(*b*) falsely applies to goods any trade mark or any mark so nearly resembling a trade mark as to be calculated to deceive; or

(*c*) makes any die, block, machine, or other instrument for the purpose of forging, or of being used for forging, a trade mark; or

(*d*) applies any false trade description to goods; or

(*e*) disposes of or has in his possession any die, block, machine, or other instrument for the purpose of forging a trade mark; or

(*f*) causes any of the things above in this section mentioned to be done,

shall, subject to the provisions of this Act, and unless he proves that he acted without intent to defraud, be guilty of an offence against this Act.

(2.) Every person who sells, or exposes for, or has in his possession for, sale, or any purpose of trade or manufacture, any goods or things to which any forged trade mark or false trade description is applied, or to which any trade mark or mark so nearly resembling a trade mark as to be calculated to deceive is falsely applied, as the case may be, shall, unless he proves—

(*a.*) That having taken all reasonable precautions against committing an offence against this Act, he had at the time of the commission of the alleged offence no reason to suspect the genuineness of the trade mark, mark, or trade description; and

(*b.*) That on demand made by or on behalf of the prosecutor, he gave all the information in his power with respect to the persons from whom he obtained such goods or things; or

(*c.*) That otherwise he had acted innocently;

be guilty of an offence against this Act.

(3.) Every person guilty of an offence against this Act shall be liable—

(i.) on conviction on indictment, to imprisonment, with or without hard labour, for a term not exceeding two years, or to fine, or to both imprisonment and fine; and

(ii.) on summary conviction to imprisonment, with or without hard labour, for a term not exceeding four months, or to a fine not exceeding twenty pounds, and in the case of a second

or subsequent conviction to imprisonment, with or without hard labour, for a term not exceeding six months, or to a fine not exceeding fifty pounds; and

(iii.) in any case, to forfeit to Her Majesty every chattel, article, instrument, or thing by means of or in relation to which the offence has been committed.

(4.) The court before whom any person is convicted under this section may order any forfeited articles to be destroyed or otherwise disposed of as the court thinks fit.

(5.) If any person feels aggrieved by any conviction made by a court of summary jurisdiction, he may appeal therefrom to a court of quarter sessions.

(6.) Any offence for which a person is under this Act liable to punishment on summary conviction may be prosecuted, and any articles liable to be forfeited under this Act by a court of summary jurisdiction may be forfeited, in manner provided by the Summary Jurisdiction Acts: Provided that a person charged with an offence under this section before a court of summary jurisdiction shall, on appealing before the court, and before the charge is gone into, be informed of his right to be tried on indictment, and if he requires be so tried accordingly. 42 & 43 Vict. c. 49.

Definitions. 46 & 47 Vict. c. 57.

3.—(1.) For the purposes of this Act—

The expression "trade mark" means a trade mark registered in the register of trade marks kept under the Patents, Designs, and Trade Marks Act, 1883, and includes any trade mark which, either with or without registration, is protected by law in any British possession or foreign State to which the provisions of the one hundred and third section of the Patents, Designs, and Trade Marks Act, 1883, are, under Order in Council, for the time being applicable:

The expression "trade description" means any description, statement, or other indication, direct or indirect,

(*a.*) as to the number, quantity, measure, gauge, or weight of any goods, or

(*b.*) as to the place or country in which any goods were made or produced, or

(*c.*) as to the mode of manufacturing or producing any goods, or

(*d.*) as to the material of which any goods are composed, or

(*e.*) as to any goods being the subject of an existing patent, privilege, or copyright,

and the use of any figure, word, or mark which, according to the custom of the trade, is commonly taken to be an indication of any of the above matters, shall be deemed to be a trade description within the meaning of this Act:

The expression "false trade description" means a trade description which is false in a material respect as regards the goods to which it is applied, and includes every alteration of a trade description, whether by way of addition, effacement, or otherwise, where that alteration makes the description false in a material respect, and the fact that a trade description is a trade mark, or part of a trade mark, shall not prevent such trade

description being a false trade description within the meaning of this Act:

The expression "goods" means anything which is the subject of trade, manufacture, or merchandise:

The expressions "person," "manufacturer, dealer, or trader," and "proprietor" include any body of persons corporate or unincorporate:

The expression "name" includes any abbreviation of a name.

(2.) The provisions of this Act respecting the application of a false trade description to goods shall extend to the application to goods of any such figures, words or marks, or arrangement or combination thereof, whether including a trade mark or not, as are reasonably calculated to lead persons to believe that the goods are the manufacture or merchandise of some person other than the person whose manufacture or merchandise they really are.

(3.) The provisions of this Act respecting the application of a false trade description to goods, or respecting goods to which a false trade description is applied, shall extend to the application to goods of any false name or initials of a person, and to goods with the false name or initials of a person applied, in like manner as if such name or initials were a trade description, and for the purpose of this enactment the expression false name or initials means as applied to any goods, any name or initials of a person which—

(*a*) are not a trade mark, or part of a trade mark, and

(*b*) are identical with, or a colourable imitation of the name or initials of a person carrying on business in connexion with goods of the same description, and not having authorised the use of such name or initials, and

(*c*) are either those of a fictitious person or of some person not bonâ fide carrying on business in connexion with such goods.

Forging trade mark.

4. A person shall be deemed to forge a trade mark who either—

(*a.*) without the assent of the proprietor of the trade mark makes that trade mark or a mark so nearly resembling that trade mark as to be calculated to deceive; or

(*b.*) falsifies any genuine trade mark, whether by alteration, addition, effacement, or otherwise;

and any trade mark or mark so made or falsified is in this Act referred to as a forged trade mark.

Provided that in any prosecution for forging a trade mark the burden of proving the assent of the proprietor shall lie on the defendant.

Applying marks and descriptions.

5.—(1.) A person shall be deemed to apply a trade mark or mark or trade description to goods who—

(*a.*) applies it to the goods themselves; or

(*b.*) applies it to any covering, label, reel, or other thing in or with which the goods are sold or exposed or had in possession for any purpose of sale, trade, or manufacture; or

(*c.*) places, encloses, or annexes any goods which are sold or exposed or had in possession for any purpose of sale, trade, or manufacture, in, with, or to any covering, label, reel, or other thing to which a trade mark or trade description has been applied; or

(*d.*) uses a trade mark or mark or trade description in any manner calculated to lead to the belief that the goods in connexion with which it is used are designated or described by that trade mark or mark or trade description.

(2.) The expression "covering" includes any stopper, cask, bottle, vessel, box, cover, capsule, case, frame, or wrapper; and the expression "label" includes any band or ticket.

A trade mark, or mark, or trade description, shall be deemed to be applied whether it is woven, impressed, or otherwise worked into, or annexed, or affixed to the goods, or to any covering, label, reel, or other thing.

(3.) A person shall be deemed to falsely apply to goods a trade mark or mark, who without the assent of the proprietor of a trade mark applies such trade mark, or a mark so nearly resembling it as to be calculated to deceive, but in any prosecution for falsely applying a trade mark or mark to goods the burden of proving the assent of the proprietor shall lie on the defendant.

Exemption of certain persons employed in ordinary course of business.

6. Where a defendant is charged with making any die, block, machine, or other instrument for the purpose of forging, or being used for forging, a trade mark, or with falsely applying to goods any trade mark or any mark so nearly resembling a trade mark as to be calculated to deceive, or with applying to goods any false trade description, or causing any of the things in this section mentioned to be done, and proves—

(*a.*) That in the ordinary course of his business he is employed, on behalf of other persons, to make dies, blocks, machines, or other instruments for making, or being used in making, trade marks, or as the case may be, to apply marks or descriptions to goods, and that in the case which is the subject of the charge he was so employed by some person resident in the United Kingdom, and was not interested in the goods by way of profit or commission dependent on the sale of such goods; and

(*b.*) That he took reasonable precautions against committing the offence charged; and

(*c.*) That he had, at the time of the commission of the alleged offence, no reason to suspect the genuineness of the trade mark, mark, or trade description; and

(*d.*) That he gave to the prosecutor all the information in his power with respect to the persons on whose behalf the trade mark, mark, or description was applied—

he shall be discharged from the prosecution, but shall be liable to pay the costs incurred by the prosecutor, unless he has given due notice to him that he will rely on the above defence.

Application of Act to watches.

7. Where a watch case has thereon any words or marks which constitute, or are by common repute considered as constituting, a description of the country in which the watch was made, and the watch bears no description of the country where it was made, those words or marks shall prima facie be deemed to be a description of that country within the meaning of this Act, and the provisions of this Act with respect to goods to which a false trade description has been applied, and with respect to selling or exposing for or

having in possession for sale, or any purpose of trade or manufacture, goods with a false trade description, shall apply accordingly, and for the purposes of this section the expression "watch" means all that portion of a watch which is not the watch case.

Mark on watch case.

8.—(1.) Every person who after the date fixed by Order in Council sends or brings a watch case, whether imported or not, to any assay office in the United Kingdom for the purpose of being assayed, stamped, or marked, shall make a declaration declaring in what country or place the case was made. If it appears by such declaration that the watch case was made in some country or place out of the United Kingdom, the assay office shall place on the case such a mark (differing from the mark placed by the office on a watch case made in the United Kingdom), and in such a mode as may be from time to time directed by Order in Council.

(2.) The declaration may be made before an officer of an assay office, appointed in that behalf by the office (which officer is hereby authorised to administer such a declaration), or before a justice of the peace, or a commissioner having power to administer oaths in the Supreme Court of Judicature in England or Ireland, or in the Court of Session in Scotland, and shall be in such form as may be from time to time directed by Order in Council.

(3.) Every person who makes a false declaration for the purposes of this section shall be liable, on conviction on indictment, to the penalties of perjury, and on summary conviction to a fine not exceeding twenty pounds for each offence.

Trade mark, how described in pleading.

9. In any indictment, pleading, proceeding, or document, in which any trade mark or forged trade mark is intended to be mentioned, it shall be sufficient, without further description and without any copy or facsimile, to state that trade mark or forged trade mark to be a trade mark or forged trade mark.

Rules as to evidence.

10. In any prosecution for an offence against this Act,—

(1.) A defendant, and his wife or her husband, as the case may be, may, if the defendant thinks fit, be called as a witness, and, if called, shall be sworn and examined, and may be cross-examined and re-examined in like manner as any other witness.

(2.) In the case of imported goods, evidence of the port of shipment shall be primâ facie evidence of the place or country in which the goods were made or produced.

Punishment of accessories.

11. Any person who, being within the United Kingdom, procures, counsels, aids, abets, or is accessory to the commission, without the United Kingdom, of any act, which, if committed in the United Kingdom, would under this Act be a misdemeanour, shall be guilty of that misdemeanour as a principal, and be liable to be indicted, proceeded against, tried, and convicted in any county or place in the United Kingdom in which he may be, as if the misdemeanour had been there committed.

Search warrant.

12.—(1.) Where, upon information of an offence against this Act, a justice has issued either a summons requiring the defendant charged by such information to appear to answer to the same, or a warrant for the arrest of such defendant, and either the said justice on or

after issuing the summons or warrant, or any other justice, is satisfied by information on oath that there is reasonable cause to suspect that any goods or things by means of or in relation to which such offence has been committed are in any house or premises of the defendant, or otherwise in his possession or under his control in any place, such justice may issue a warrant under his hand by virtue of which it shall be lawful for any constable named or referred to in the warrant, to enter such house, premises, or place at any reasonable time by day, and to search there for and seize and take away those goods or things; and any goods or things seized under any such warrant shall be brought before a court of summary jurisdiction for the purpose of its being determined whether the same are or are not liable to forfeiture under this Act.

(2.) If the owner of any goods or things which, if the owner thereof had been convicted, would be liable to forfeiture under this Act, is unknown or cannot be found, an information or complaint may be laid for the purpose only of enforcing such forfeiture, and a court of summary jurisdiction may cause notice to be advertised stating that, unless cause is shown to the contrary at the time and place named in the notice, such goods or things will be forfeited, and at such time and place the court, unless the owner or any person on his behalf, or other person interested in the goods or things, shows cause to the contrary, may order such goods or things or any of them to be forfeited.

(3.) Any goods or things forfeited under this section, or under any other provision of this Act, may be destroyed or otherwise disposed of, in such manner as the court by which the same are forfeited may direct, and the court may, out of any proceeds which may be realised by the disposition of such goods (all trade marks and trade descriptions being first obliterated), award to any innocent party any loss he may have innocently sustained in dealing with such goods.

Extension of 22 & 23 Vict. c. 17. to offences under this Act.

13. The Act of the session of the twenty-second and twenty-third years of the reign of Her present Majesty, chapter seventeen, intituled "An Act to prevent vexatious indictments for certain misdemeanours," shall apply to any offence punishable on indictment under this Act, in like manner as if such offence were one of the offences specified in section one of that Act, but this section shall not apply to Scotland.

Costs of defence or prosecution.

14. On any prosecution under this Act the court may order costs to be paid to the defendant by the prosecutor, or to the prosecutor by the defendant, having regard to the information given by and the conduct of the defendant and prosecutor respectively.

Limitation of prosecution.

15. No prosecution for an offence against this Act shall be commenced after the expiration of three years next after the commission of the offence, or one year next after the first discovery thereof by the prosecutor, whichever expiration first happens.

Prohibition on importation.

16. Whereas it is expedient to make further provision for prohibiting the importation of goods which, if sold, would be liable to forfeiture under this Act; be it therefore enacted as follows:

(1.) All such goods, and also all goods of foreign manufacture bearing any name or trade mark being or purporting to be the name or trade mark of any manufacturer, dealer, or trader in

the United Kingdom, unless such name or trade mark is accompanied by a definite indication of the country in which the goods were made or produced, are hereby prohibited to be imported into the United Kingdom, and, subject to the provisions of this section, shall be included among goods prohibited to be imported as if they were specified in section forty-two of the Customs Consolidation Act, 1876.

39 & 40 Vict. c. 36.

(2.) Before detaining any such goods, or taking any further proceedings with a view to the forfeiture thereof under the law relating to the Customs, the Commissioners of Customs may require the regulations under this section, whether as to information, security, conditions, or other matters, to be complied with, and may satisfy themselves in accordance with those regulations that the goods are such as are prohibited by this section to be imported.

(3.) The Commissioners of Customs may from time to time make, revoke and vary, regulations, either general or special, respecting the detention and forfeiture of goods the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may by such regulations determine the information, notices, and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4.) Where there is on any goods a name which is identical with or a colourable imitation of the name of a place in the United Kingdom, that name, unless accompanied by the name of the country in which such place is situate, shall be treated for the purposes of this section as if it were the name of a place in the United Kingdom.

(5.) Such regulations may apply to all goods the importation of which is prohibited by this section, or different regulations may be made respecting different classes of such goods or of offences in relation to such goods.

(6.) The Commissioners of Customs, in making and in administering the regulations, and generally in the administration of this section, whether in the exercise of any discretion or opinion, or otherwise, shall act under the control of the Commissioners of Her Majesty's Treasury.

(7.) The regulations may provide for the informant reimbursing the Commissioners of Customs all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention.

(8.) All regulations under this section shall be published in the "London Gazette" and in the "Board of Trade Journal."

(9.) This section shall have effect as if it were part of the Customs Consolidation Act, 1876, and shall accordingly apply to the Isle of Man as if it were part of the United Kingdom.

46 & 47 Vict. c. 55.

(10.) Section two of the Revenue Act, 1883, shall be repealed as from a day fixed by regulations under this section, not being later than the first day of January one thousand eight hundred and eighty-eight, without prejudice to anything done or suffered thereunder.

Implied warranty on sale of marked goods.

17. On the sale or in the contract for the sale of any goods to which a trade mark, or mark, or trade description has been applied, the vendor shall be deemed to warrant that the mark is a genuine trade mark and not forged or falsely applied, or that the trade description is not a false trade description within the meaning of this Act, unless the contrary is expressed in some writing signed by or on behalf of the vendor and delivered at the time of the sale or contract to and accepted by the vendee.

Provisions of Act as to false description not to apply in certain cases.

18. Where, at the passing of this Act, a trade description is lawfully and generally applied to goods of a particular class, or manufactured by a particular method, to indicate the particular class or method of manufacture of such goods, the provisions of this Act with respect to false trade descriptions shall not apply to such trade description when so applied: Provided that where such trade description includes the name of a place or country, and is calculated to mislead as to the place or country where the goods to which it is applied were actually made or produced, and the goods are not actually made or produced in that place or country, this section shall not apply unless there is added to the trade description, immediately before or after the name of that place or country, in an equally conspicuous manner, with that name, the name of the place or country in which the goods were actually made or produced, with a statement that they were made or produced there.

Savings.

19.—(1.) This Act shall not exempt any person from any action, suit, or other proceeding which might, but for the provisions of this Act, be brought against him.

(2.) Nothing in this Act shall entitle any person to refuse to make a complete discovery, or to answer any question or interrogatory in any action, but such discovery or answer shall not be admissible in evidence against such person in any prosecution for an offence against this Act.

(3.) Nothing in this Act shall be construed so as to render liable to any prosecution or punishment any servant of a master resident in the United Kingdom who bonâ fide acts in obedience to the instructions of such master, and, on demand made by or on behalf of the prosecutor, has given full information as to his master.

False representation as to Royal Warrant.

20. Any person who falsely represents that any goods are made by a person holding a Royal Warrant, or for the service of Her Majesty, or any of the Royal Family, or any Government department, shall be liable, on summary conviction, to a penalty not exceeding twenty pounds.

Application of Act to Scotland.

21. In the application of this Act to Scotland the following modifications shall be made:—

The expression "Summary Jurisdiction Acts" means the Summary Procedure Act, 1864, and any Acts amending the same.

The expression "justice" means sheriff.

The expression "court of summary jurisdiction" means the Sheriff Court, and all jurisdiction necessary for the purpose of this Act is hereby conferred on sheriffs.

Application of Act to Ireland.

22. In the application of this Act to Ireland, the following modifications shall be made:—

The expression "Summary Jurisdiction Acts," means, so far as respects the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace of such district, and as regards the rest of Ireland means the Petty Sessions (Ireland) Act, 1851, and any Act amending the same.

14 & 15 Vict. c. 93.

The expression "court of summary jurisdiction" means justices acting under those Acts.

Repeal of 25 & 26 Vict. c. 88.

23. The Merchandise Marks Act, 1862, is hereby repealed, and any unrepealed enactment referring to any enactment so repealed shall be construed to apply to the corresponding provision of this Act; provided that this repeal shall not affect—

(*a*) any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; nor

(*b*) the institution or continuance of any proceeding or other remedy under any enactment so repealed for the recovery of any penalty incurred, or for the punishment of any offence committed, before the commencement of this Act; nor

(*c*) any right, privilege, liability, or obligation acquired, accrued, or incurred under any enactment hereby repealed.

CHAPTER 29.

An Act for the better Prevention of the Fraudulent Sale of Margarine. [23rd August 1887.]

WHEREAS it is expedient that further provision should be made for protecting the public against the sale as butter of substances made in imitation of butter, as well as of butter mixed with any such substances:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Margarine Act, 1887.

Commencement of Act.

2. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-eight.

Definition.

3. The word "butter" shall mean the substance usually known as butter, made exclusively from milk or cream, or both, with or without salt or other preservative, and with or without the addition of colouring matter.

The word "margarine" shall mean all substances, whether compounds or otherwise, prepared in imitation of butter, and whether mixed with butter or not, and no such substance shall be lawfully sold, except under the name of margarine, and under the conditions set forth in this Act.

Penalty.

4. Every person dealing in margarine, whether wholesale or retail, whether a manufacturer, importer, or as consignor or

consignee, or as commission agent or otherwise, who is found guilty of an offence under this Act, shall be liable on summary conviction for the first offence to a fine not exceeding twenty pounds, and for the second offence to a fine not exceeding fifty pounds, and for the third or any subsequent offence to a fine not exceeding one hundred pounds.

Exemption from penalty.

5. Where an employer is charged with an offence against this Act he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the Court that he had used due diligence to enforce the execution of this Act, and that the said other person had committed the offence in question without his knowledge, consent, or connivance, the said other person shall be summarily convicted of such offence, and the employer shall be exempt from any penalty.

Marking of cases.

6. Every person dealing in margarine in the manner described in the preceding section shall conform to the following regulations:

Every package, whether open or closed, and containing margarine, shall be branded or durably marked "Margarine" on the top, bottom, and sides, in printed capital letters, not less than three quarters of an inch square; and if such margarine be exposed for sale, by retail, there shall be attached to each parcel thereof so exposed, and in such manner as to be clearly visible to the purchaser, a label marked in printed capital letters not less than one and a half inches square, "Margarine"; and every person selling margarine by retail, save in a package duly branded or durably marked as aforesaid, shall in every case deliver the same to the purchaser in or with a paper wrapper, on which shall be printed in capital letters, not less than a quarter of an inch square, "Margarine."

Presumption against vendor.

7. Every person dealing with, selling, or exposing, or offering for sale, or having in his possession for the purpose of sale, any quantity of margarine contrary to the provisions of this Act, shall be liable to conviction for an offence against this Act, unless he shows to the satisfaction of the court before whom he is charged that he purchased the article in question as butter, and with a written warranty or invoice to that effect, that he had no reason to believe at the time when he sold it that the article was other than butter, and that he sold it in the same state as when he purchased it, and in such case he shall be discharged from the prosecution, but shall be liable to pay the costs incurred by the prosecutor unless he shall have given due notice to him that he will rely upon the above defence.

Margarine imported or manufactured.

8. All margarine imported into the United Kingdom of Great Britain and Ireland, and all margarine whether imported or manufactured within the United Kingdom of Great Britain and Ireland, shall, whenever forwarded by any public conveyance, be duly consigned as margarine; and it shall be lawful for any officer of Her Majesty's Customs or Inland Revenue, or any medical officer of health, inspector of nuisances, or police constable, authorised under section thirteen of the Sale of Food and Drugs Act, 1875, to procure samples for analysis if he shall have reason to

38 & 39 Vict. c. 63.

believe that the provisions of this Act are infringed on this behalf, to examine and take samples from any package, and ascertain, if necessary by submitting the same to be analysed, whether an offence against this Act has been committed.

Registration of manufactory.

9. Every manufactory of margarine within the United Kingdom of Great Britain and Ireland shall be registered by the owner or occupier thereof with the local authority from time to time in such manner as the Local Government Boards of England and Ireland and the Secretary for Scotland respectively may direct, and every such owner or occupier carrying on such manufacture in a manufactory not duly registered shall be guilty of an offence under this Act.

Power to inspectors to take samples without purchase.

10. Any officer authorised to take samples under the Sale of Food and Drugs Act, 1875, may, without going through the form of purchase provided by that Act, but otherwise acting in all respects in accordance with the provisions of the said Act as to dealing with samples, take for the purposes of analysis samples of any butter, or substances purporting to be butter, which are exposed for sale, and are not marked Margarine, as provided by this Act; and any such substance not being so marked shall be presumed to be exposed for sale as butter.

Appropriation of penalties.

11. Any part of any penalty recovered under this Act may, if the Court shall so direct, be paid to the person who proceeds for the same, to reimburse him for the legal costs of obtaining the analysis, and any other reasonable expenses to which the Court shall consider him entitled.

Proceedings.

12. All proceedings under this Act shall, save as expressly varied by this Act, be the same as prescribed by sections twelve to twenty-eight inclusive of the Sale of Food and Drugs Act, 1875, and all officers employed under that Act are hereby empowered and required to carry out the provisions of this Act.

Definition of local authority.

13. The expression "local authority" shall mean any local authority authorised to appoint a public analyst under the Sale of Food and Drugs Act, 1875.

CHAPTER 30.

An Act to amend the Settled Land Act (1882).

[23rd August 1887.]

45 & 46 Vict. c. 38.

WHEREAS by the twenty-first section of the Settled Land Act, 1882 (in this Act referred to as the Act of 1882), it is provided that capital money arising under that Act may be applied in payment for any improvement by that Act authorised:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of sec. 21 of the Settled Land Act, 1882.

1. Where any improvement of a kind authorised by the Act of 1882 has been or may be made either before or after the passing of this Act, and a rentcharge, whether temporary or perpetual, has been or may be created in pursuance of any Act of Parliament, with the object of paying off any moneys advanced for the purpose

of defraying the expenses of such improvement, any capital money expended in redeeming such rentcharge, or otherwise providing for the payment thereof, shall be deemed to be applied in payment for an improvement authorised by the Act of 1882.

Section 28 of Settled Land Act, 1882, to apply to improvements within preceding section.

2. Any improvement in payment for which capital money is applied or deemed to be applied under the provisions of the preceding section shall be deemed to be an improvement within the meaning of section twenty-eight of the Act of 1882, and the provisions of such last-mentioned section shall, so far as applicable, be deemed to apply to such improvement.

Short title.

3. This Act shall be construed as one with the Settled Land Act, 1882, and the Settled Land Act, 1884, and may be cited together with those Acts as the Settled Land Acts, 1882 to 1887, and separately as the Settled Land Acts (Amendment) Act, 1887.

CHAPTER 31.

An Act further to amend the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes. [23rd August 1887.]

38 & 39 Vict. c. 65.

WHEREAS by the Metropolitan Board of Works (Loans) Act, 1875, (in this Act referred to as "the Act of 1875,") the raising of money by the Metropolitan Board of Works (in this Act referred to as "the Board") for the purposes therein specified was regulated, and provision was made requiring that the borrowing powers granted to the Board by Parliament for the purposes therein named should for the future be limited both in time and amount:

49 & 50 Vict. c. 44.

And whereas by the Metropolitan Board of Works (Money) Act, 1886, (in this Act referred to as "the Act of 1886,") the Board were empowered to raise certain sums of money for the purposes in the said Act mentioned, and limits of time and amount within which the powers by the said Act granted might be exercised were fixed:

And whereas the powers for the raising of money by the Act of 1886 conferred upon the Board have been partially exercised, but it is expedient that the Board should have power to raise certain further sums of money specified in the First Schedule to this Act annexed for the purposes, upon the terms and subject to the limitations herein-after mentioned, and that the Act of 1886 should be amended:

And whereas it is expedient that the Board should be empowered to apply for the purpose of certain loans by the Board under this Act and for any purpose for which the Board are authorised to raise money any moneys for the time being forming part of the consolidated loans fund, and not required for the payments of the dividends on consolidated stock:

And whereas it is expedient that the Board should after the issue of consolidated stock be empowered to pay certain parts of the dividends due thereon out of the moneys and in the manner by this Act prescribed:

And whereas it is expedient that the Board should be empowered to raise any of the moneys which they are by this Act authorised

to raise and which it may be convenient to raise for a temporary period by the issue of bills, with the consent of the Treasury, for not less than three and not more than twelve months, to be repaid out of moneys raised by the creation of consolidated stock under this Act:

And whereas it is expedient that the provisions with respect to unclaimed stock, unclaimed dividends on stock, and unclaimed moneys applicable to the redemption of stock contained in the Act of 1885 should be incorporated in this Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Metropolitan Board of Works (Money) Act, 1887, and the Metropolitan Board of Works (Money) Acts, 1875 to 1886, and this Act, may be cited together as the Metropolitan Board of Works (Money) Acts, 1875 to 1887.

Construction of Act.

2. This Act shall be read and have effect as one with the Metropolitan Board of Works (Loans) Acts, 1869 to 1871, and the Metropolitan Board of Works (Money) Acts, 1875 to 1886.

Interpretation.

3. The expression "Parks and Open Spaces Acts" in this Act shall mean the enactments specified in the Second Schedule to this Act annexed.

The expression "Main Drainage Acts" in this Act shall have the same meaning as is assigned to the same term in the Metropolitan Board of Works (Loans) Act, 1869.

Amendment of 49 & 50 Vict. c. 44. s. 8 and s. 10, sub-sections (*e*), (*f*), (*g*), (*i*), and (*l*).

4. (i.) Section eight of the Act of 1886 shall be read and construed as if the amount which the Board were thereby authorised to expend for the purposes of the Metropolitan Board of Works (Various Powers) Act, 1886, had been limited to a sum of fifty-eight thousand pounds instead of fifty-three thousand pounds.

(ii.) Sub-section (*e*) of section ten of the Act of 1886 shall be read and construed as if the amount which the Board were thereby authorised to expend for the purposes of the Metropolitan Board of Works (Bridges, &c.) Act, 1883, including the freeing of East and West Ferry Roads had been limited to a sum of thirty-one thousand pounds instead of ten thousand pounds.

(iii.) Sub-section (*f*) of section ten of the Act of 1886 shall be read and construed as if the amount which the Board were thereby authorised to expend for the purposes of the Thames River (Prevention of Floods) Act, 1879, had been limited to a sum of three thousand pounds and such further sum as the Treasury may approve, instead of two thousand pounds and such further sum as the Treasury may approve.

(iv.) Sub-section (*g*) of section ten of the Act of 1886 shall be read and construed as if the amount which the Board were thereby authorised to expend under the authority of the Artizans and Labourers Dwellings Improvement Act, 1875, or the Artizans and Labourers Dwellings Improvement Acts, 1875 to 1882, and confirmed by Provisional Order and Act of Parliament, had been limited to a sum of fifty-seven thousand pounds and such further sum as

the Treasury may approve, instead of twenty-eight thousand pounds and such further sum as the Treasury may approve.

(v.) Sub-section (*i*) of section ten of the Act of 1886 shall be read and construed as if the amount which the Board were thereby authorised to expend for the purposes of the Metropolitan Street Improvements Act, 1883, had been limited to a sum of one hundred and two thousand pounds instead of sixty-one thousand pounds.

(vi.) Sub-section (*l*) of section ten of the Act of 1886 shall be read and construed as if the amount which the Board were thereby authorised to expend for the purposes of the Metropolitan Board of Works (Various Powers) Act, 1884, had been limited to a sum of forty-four thousand pounds instead of thirty-two thousand pounds.

Power to expend moneys for the purposes of the Metropolitan Board of Works (Various Powers) Act, 1887, the Thames Tunnel (Blackwall) Act, 1887, the Artizans, &c., Acts, and the London Parks and Works Act, 1887.

5. The Board may from time to time up to the thirty-first day of December one thousand eight hundred and eighty-eight expend for the purposes herein-after mentioned such moneys as they think fit not exceeding the amounts limited in relation to such purposes respectively:

(i.) For the purposes of the Metropolitan Board of Works (Various Powers) Act, 1887, one hundred thousand pounds;

(ii.) For the purposes of the Thames Tunnel (Blackwall) Act, 1887, if it becomes law one million five hundred and sixty-eight thousand two hundred pounds;

(iii.) For the purposes of schemes made by the Board under the authority of the Artizans and Labourers Dwellings Improvement Acts, 1875 to 1885, with respect to Cable Street Shadwell and with respect to Shelton Street, St. Giles, one hundred and twelve thousand eight hundred and fifty pounds;

(iv.) For the purposes of the London Parks and Works Act, 1887, if it becomes law, twenty thousand pounds.

Provided always, that the money to be raised and the consolidated stock to be created by the Board for any of the purposes mentioned in this section shall be raised and created by them from time to time in such amounts and at such times only as the Board shall actually require and as the Treasury shall approve for the purpose of carrying out the provisions of the said Acts and schemes in a proper and efficient manner.

Composition for stamp duties.

6. For the purposes of the Customs and Inland Revenue Act, 1887, the Board may from time to time pay out of the consolidated loans fund (notwithstanding the provisions of section twenty-eight of the Metropolitan Board of Works (Loans) Act, 1869) such sums as shall be charged under that Act by way of composition for stamp duties on stock and annuities issued or granted after the first day of August one thousand eight hundred and eighty-seven.

Power to lend to the Vestry of Saint Pancras.

7. The Board may from time to time up to the thirty-first day of December one thousand eight hundred and eighty-eight lend to the Vestry of Saint Pancras, and the Vestry of Saint Pancras may borrow from the Board for the purposes authorised by the Saint Pancras Loans Amendment Act, 1887, such money as the Board think fit and as the Vestry of Saint Pancras are authorised and desire to borrow not exceeding one hundred and ten thousand pounds.

Money may be borrowed from and lent by the Board under this section in addition to any money borrowed from or lent by the Board under section eleven and may be made repayable either in one sum or by instalments as the Board and the Vestry of Saint Pancras shall agree, and in either case shall be repaid to the Board with interest within such time after the lending not exceeding fifty years as the Board and the Vestry of Saint Pancras with the approval of the Treasury shall agree.

Power to lend to the Receiver of the Metropolitan Police.

8. Section nine of the Act of 1886 is hereby repealed, and the Receiver of the Metropolitan Police District may borrow from the Board, and the Board may from time to time up to the thirty-first day of December one thousand eight hundred and eighty-eight lend to the Receiver on the security of the Metropolitan Police Fund as defined by section seven of the Metropolitan Police Act, 1886, such sums as the Receiver is from time to time authorised to borrow not exceeding in the whole the sum of five hundred thousand pounds, and for the purpose of securing the repayment of any such sums and interest the Receiver may mortgage to the Board the Metropolitan Police Fund as so defined.

Money borrowed from and lent by the Board under this section may, notwithstanding anything in any other Act, be made repayable either in one sum or by instalments as the Board and the Receiver shall agree, and in either case shall be repaid to the Board with interest within such time after borrowing as the Receiver with the sanction of one of Her Majesty's Principal Secretaries of State and the Board with the approval of the Treasury may agree.

Provided that the time after the borrowing within which such moneys shall be repaid to the Board shall not exceed in the case of a loan for the purchase of freehold land sixty years, and for any other purpose thirty years.

Power to expend moneys for sundry purposes during year 1888.

9. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight expend for the purposes herein-after mentioned such moneys as they may think fit not exceeding the amounts limited in relation to such purposes respectively:

(*a.*) For the purposes of providing station-houses, fire-engines, fire-escapes, hydrants, fire-plugs, and permanent plant for the purposes of the Fire Brigade Act, 1865, thirty-five thousand pounds and such further sum as the Treasury may approve:

28 & 29 Vict. c. 90.

(*b.*) For the purposes of the Parks and Open Spaces Acts forty thousand pounds:

40 & 41 Vict. c. xcix.

(*c.*) For the purposes of the Metropolis Toll Bridges Act, 1877, including the cost of certain special works for the maintenance and repair of certain of the bridges acquired by the Board under the said Act and the commutation of pensions, twenty-eight thousand pounds:

44 & 45 Vict. c. cxcii. 47 & 48 Vict. c. ccxxviii.

(*d.*) For the purposes of the Metropolitan Bridges Act, 1881, and the Metropolitan Board of Works (Bridges) Act, 1884, seventy-three thousand pounds, provided that the moneys expended by the Board under the authority of this sub-section shall not together with all moneys previously expended by the Board

for the said purposes exceed seven hundred and ninety-one thousand pounds:

(*e.*) For the purposes of the Metropolitan Board of Works (Bridges, &c.) Act, 1883, including the freeing of East and West Ferry Roads, seven thousand pounds, provided that the moneys expended by the Board under the authority of this sub-section shall not, together with all moneys previously expended by the Board for the said purposes, exceed one hundred and thirty-four thousand pounds: 46 & 47 Vict. c. clxxvii.

(*f.*) For the purposes of the Thames River (Prevention of Floods) Act, 1879, one thousand pounds and such further sum as the Treasury may approve: 42 & 43 Vict. c. cxcviii.

(*g.*) For the purposes of schemes made by the Board under the authority of the Artizans and Labourers Dwellings Improvement Act, 1875, or the Artizans and Labourers Dwellings Improvement Acts, 1875 to 1885, and confirmed by Provisional Order and Act of Parliament, eleven thousand pounds and such further sum as the Treasury may approve: 38 & 39 Vict. c. 36.

(*h.*) For the purposes of the Metropolitan Street Improvements Act, 1877, twenty-eight thousand pounds, and such further sum as the Treasury may approve, provided that the moneys expended by the Board under the authority of this sub-section, together with all moneys previously expended by the Board for the said purposes, shall not exceed four millions three hundred thousand pounds: 40 & 41 Vict. c. ccxxxv.

(*i.*) For the purposes of the Metropolitan Street Improvements Act, 1883, sixteen thousand pounds, provided that the moneys expended by the Board under the authority of this sub-section shall not together with all moneys previously expended by the Board for the said purposes exceed seven hundred and eighty-two thousand seven hundred pounds: 46 & 47 Vict. c. clxxviii.

(*k.*) For the purposes mentioned in section one hundred and forty-four of the Metropolis Management Act, 1855, and section seventy-two of the Metropolis Management Amendment Act, 1862, and for the purposes of any improvement effected by the Metropolitan Board of Works and sanctioned by Parliament, expenditure in relation to which is not otherwise specially provided for by this Act, one hundred thousand pounds: 18 & 19 Vict. c. 120. 25 & 26 Vict. c. 102.

(*l.*) For the purposes of the Metropolitan Board of Works (Various Powers) Act, 1884, eleven thousand pounds: 47 & 48 Vict. c. ccxxiii.

(*m.*) For the purposes of the Metropolitan Board of Works (Various Powers) Act, 1885, one hundred and eighty-three thousand pounds: 48 & 49 Vict. c. clxvii.

(*n.*) For the purposes of the Metropolitan Board of Works (Various Powers) Act, 1886, eighteen thousand pounds. 49 & 50 Vict. c. cxliv.

Provided always, that the moneys to be expended and the consolidated stock to be created by the Board for the purposes mentioned in this section respectively shall be raised and created by them from time to time in such amounts and at such times only as the Board shall actually require and as the Treasury shall approve for the said purposes respectively.

Special power to expend money for purposes of main drainage and main sewers.

10. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight expend for the purpose of adding to, extending, enlarging, improving, and completing the works authorised by the Main Drainage Acts, including precipitation works and appliances, and vessels or barges for the removal of sludge, and for rendering such works and appliances, vessels or barges, efficient in such manner as to them may seem proper, and for extending, enlarging, and improving the main sewers transferred to and vested in the Board under and by virtue of the Metropolis Management Act, 1855, and for making such other sewers and works, and such alterations and diversions of such existing main sewers, as may to them seem proper for the purpose of relieving, supplementing, and rendering such main sewers efficient, and for carrying into effect the several provisions in relation thereto mentioned in the said Acts, such moneys as they may think fit, not exceeding three hundred and seventy thousand pounds, in addition to any moneys which they are authorised to expend under any Acts passed previously to the passing of this Act; and all the provisions of the Main Drainage Acts and the Metropolis Management Act, 1855, and the Acts altering or amending the same for the time being in force relating to the execution of works authorised by the said Acts respectively shall continue in force, and shall extend and apply respectively to the works executed by means of money raised for the purposes of this section; and all stock created under the authority of this Act for such purposes shall be deemed to be created for the purposes of the above-mentioned Acts respectively.

18 & 19 Vict. c. 120.

Power to lend to vestries, district boards, corporation, commissioners, burial boards, or other public bodies.

11.—(i.) Where a vestry or district board constituted under the Metropolis Management Act, 1855, or any Act amending or extending the same, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for any purpose thereby authorised, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight the Board may lend to the vestry or district board, and the vestry or district board may borrow from the Board, such money as the Board think fit, and as the vestry or district board are authorised and desire to borrow, but the total amount of all such loans shall not exceed three hundred thousand pounds; and

(ii.) Where any corporation, commissioners, burial board, or other public body (not being a vestry or district board constituted as aforesaid, a board of guardians, the Managers of the Metropolitan Asylum District, or the School Board for London) having power to levy directly or indirectly rates in respect of lands in the metropolis, as defined in the Metropolis Management Act, 1855, or to make charges on rates leviable in the metropolis as so defined, or to take or charge within the metropolis as so defined dues or impositions in the nature of rates, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for any purpose thereby authorised, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight, the Board may lend to the corporation, commissioners, burial board, or other public body, and they may

borrow from the Board, such money as the Board think fit, and as the corporation, commissioners, burial board, or other public body are authorised and desire to borrow, but the total amount of all such loans shall not exceed one hundred thousand pounds.

(iii.) Money borrowed from and lent by the Board under this section may, notwithstanding anything in any other Act, be made repayable either in one sum or by instalments, as the Board and the borrowers shall agree, and in either case shall be repaid to the Board with interest within such time after the borrowing as the Board and the borrowers, with the approval of the Treasury, shall agree: Provided that the time after the borrowing within which such moneys shall be repaid to the Board shall not exceed in the case of a loan for the purpose of improvements in relation to streets or bridges, or for the purpose of purchase of land in fee simple, sixty years, and for any other purpose thirty years.

(iv.) Section thirteen of the Metropolitan Board of Works (Money) Act, 1886, and the corresponding sections in the Metropolitan Board of Works (Money) Acts, 1875 to 1885, shall be deemed to have authorised and to authorise any such corporation, commissioners, burial boards, or other public body as last aforesaid to borrow from the Board and the Board to lend, upon the term of the repayment of the money borrowed being spread over a series of years, whether such corporation, commissioners, burial board, or other public body had or have, or had or have not otherwise power to borrow upon the terms of the repayment of the money borrowed being spread over a series of years, and commissioners for public libraries and museums appointed or hereafter to be appointed under the Public Libraries Act, 1855, by the vestry of any parish in the metropolis as defined by the Metropolis Management Act, 1855, are hereby declared to be commissioners duly appointed, notwithstanding that such parish may be a parish in Schedule B. to the last-mentioned Act, and any loan by the Board to commissioners so appointed, and any security given by such commissioners to the Board, shall be deemed in all respects valid and effective, provided the sanction of the vestry and the Local Government Board be given to the borrowing by the commissioners. 18 & 19 Vict. c. 70.

Power to lend to boards of guardians. 18 & 19 Vict. c. 120.

12. Where a board of guardians of a union or parish wholly or for the greater part in the metropolis as defined in the Metropolis Management Act, 1855, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for any purpose thereby authorised, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight the Board may lend to the board of guardians, and the board of guardians may borrow from the Board, such money as the Board think fit and as the board of guardians are authorised and desire to borrow, but the aggregate amount of all such loans shall not exceed two hundred thousand pounds.

Money borrowed from and lent by the Board under this section shall, notwithstanding anything in any other Act, be repaid to the Board, with interest, within such time after the borrowing as the borrowers with the consent of the Local Government Board, and

the Board with the approval of the Treasury, shall agree, not exceeding thirty years.

Extension of amount of loans to the Managers of Metropolitan Asylum District.

13. The Board may from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight lend to the Managers of the Metropolitan Asylum District, in addition to the sums heretofore authorised to be lent by the Board to the said Managers, such sums as the said Managers are from time to time authorised by the Local Government Board to borrow in pursuance of any Act for the time being in force, not exceeding in the whole fifty thousand pounds, as though the said sums were included in the amount authorised to be lent for such purposes by section thirty-seven of the Metropolitan Board of Works (Loans) Act, 1869, and the Acts amending the same.

32 & 33 Vict. c. 102.

Power to lend to School Board for London.

14. Where the School Board for London desire in pursuance of authority vested in them by Act of Parliament to borrow money for any purpose thereby authorised, then from time to time during the year ending the thirty-first day of December one thousand eight hundred and eighty-eight the Board may lend and the School Board may borrow from the Board such money as the Board think fit and as the School Board are authorised and desire to borrow not exceeding two hundred and fifty thousand pounds.

Money borrowed from and lent by the Board under this section shall notwithstanding anything in any other Act be repaid to the Board, with interest, within such time after the borrowing not exceeding fifty years as the School Board with the sanction (as the case may require) of the Education Department or of one of Her Majesty's Principal Secretaries of State and the Board with the approval of the Treasury shall agree.

Protection of Board in case of certain loans.

15. Where under the authority of this or any other Act the Board lend any moneys to any corporation, body of commissioners, public body, or persons, the exercise of whose powers of borrowing is subject to the consent of the Local Government Board, the sanction of that Board to the borrowing of such moneys shall in every such case be conclusive evidence that such corporation, body of commissioners, public body, or persons had power to borrow such moneys.

Power to raise consolidated stock.

16. In order to raise money for the several purposes for which the Board are by this Act authorised to expend or lend money, the Board may from time to time create consolidated stock: Provided always, that—

(i.) Where the Board under the authority of this Act create consolidated stock to raise money for the purpose of the Fire Brigade Act, 1865, or to enable them to make a loan repayable within a period not exceeding thirty years from the date of such loan, the Board shall from time to time carry to the consolidated loans fund such sums as the Treasury approve as being in their opinion sufficient to redeem within the period of thirty years from the date of the creation of such stock, or in the case of any such loan within any less period for which the same may be made, an amount of consolidated stock equal to that so created; and

(ii.) Where the Board are by this Act authorised to make a loan, the Board, instead of raising money for any such loan by the creation of consolidated stock, may use for any such loan any moneys for the time being forming part of the consolidated loans fund, and not required for the payments of the dividends on consolidated stock: Provided that no such moneys shall be used for any loan repayable at a date later than the date at which the consolidated stock redeemable by means of the moneys so used is required to be redeemed at par.

(iii.) Where the Board are authorised by the Act of 1886 or this Act to raise money for any purpose, the Board, instead of raising such money by the creation of consolidated stock, may, with the approval of the Treasury, use for such purpose any moneys for the time being forming part of the consolidated loans fund, and not required for the payment of the dividends on consolidated stock: Provided that no such moneys shall be so used unless provision shall be made in such manner as the Treasury approve for repaying the same to the consolidated loans fund at or before the date at which consolidated stock redeemable by means of such moneys is required to be redeemed at par, and in every such case the Board shall from time to time raise as part of the consolidated rate such sums as the Treasury approve as being in their opinion sufficient for the repayment at or before the date aforesaid of the moneys used for such purpose and for the payment of the interest on the moneys so used, and such sums shall from time to time be carried by the Board to the consolidated loans fund.

(iv.) Where the Board raise consolidated stock for the purpose of any scheme made by the Board under the authority of the Artizans and Labourers Dwellings Improvement Act, 1875, or the Artizans and Labourers Dwellings Improvement Acts, 1875 to 1885, and confirmed by Provisional Order and Act of Parliament, there shall be repaid (as provided by the Artizans and Labourers Dwellings Improvement Act, 1875,) to the consolidated rate out of the local rate as defined by the said last-mentioned Act all moneys required for payment of dividends on and the redemption of all consolidated stock created for such purpose.

Power for Board after issue of stock to apply moneys raised by stock to make up dividends from fixed dates.

17. The Board may from time to time within twelve months after the issue of any consolidated stock carry to the dividend account in the consolidated loans fund, for the purpose of providing for the payment of dividends on such stock from the dates fixed at the time of such issue, though the same may be earlier than the dates fixed for receiving the cash instalments on account of such loan, so much of the moneys arising from the issue of such stock as they may require for that purpose and as the Treasury approve, and may from time to time apply the moneys so carried to such dividend account to the payment of such dividends.

Board may raise money by bills.

18. Notwithstanding anything in this Act or in any other Act relating to the Board, the Board, with the consent of the Treasury, may from time to time as they think fit raise any part of the moneys which they are by this Act authorised to raise, not exceed-

ing in the whole the sum of five hundred thousand pounds, by the issue of bills under this Act.

Form and length of currency and interest on metropolitan bills.

19. A bill under this Act (in this Act referred to as the "metropolitan bill") shall be a bill in form prescribed by a regulation made in pursuance of this Act for the payment of the principal sum named therein in the manner and at the date therein mentioned, so that the date be not less than three nor more than twelve months from the date of the bill.

Interest shall be payable in respect of a metropolitan bill at such rate and in such manner as the Board with the consent of the Treasury may direct.

Payment and applications of proceeds of metropolitan bills and charge of bills on consolidated rate.

20. All moneys raised by the issue of any metropolitan bills shall be paid to the Board, and shall be expended by them for the purposes for which the same are by this Act authorised to be raised respectively. The principal money and interest expressed in any metropolitan bill to be payable shall be charged on the consolidated rate, and shall be payable out of the said rate, or as regards principal out of moneys raised by the creation of consolidated stock under this Act for the purpose for which such principal money has been expended, and as regards interest out of the consolidated loans fund.

Sections 18 & 19 and 21 & 22 of 46 & 47 Vict. c. 27. to apply to metropolitan bills under this Act.

21. The provisions contained in sections eighteen and nineteen and sections twenty-one and twenty-two of the Metropolitan Board of Works (Money) Act, 1883, with respect to metropolitan bills as defined by that Act, shall extend and apply with respect to metropolitan bills as defined by this Act, and for the purpose of such application the expressions "this Act" and "metropolitan bill" in the said sections shall be construed to mean respectively this Act and metropolitan bill as defined by this Act.

Power to create consolidated stock partially suspended while metropolitan bills authorised to be raised.

22. For the repayment of the principal money due on metropolitan bills the Board may by the creation of consolidated stock raise any sum which by this Act they are authorised to apply to the purposes for which such principal money has been expended, but save as aforesaid the powers given to the Board by this Act to raise moneys by the creation of consolidated stock shall be suspended to the extent to which moneys are for the time being authorised to be raised by the issue of metropolitan bills.

32 & 33 Vict. c. 102. s. 38. not to extend to moneys raised under this Act.

23. The limitation on the borrowing power of the Board contained in section thirty-eight of the Metropolitan Board of Works (Loans) Act, 1869, shall not extend to moneys raised by the Board for purposes mentioned in this Act.

Repayments to be carried to consolidated loans fund.

24. All sums received by the Board in respect of interest on or principal of any loan made by them under this Act shall be carried to the consolidated loans fund.

Limit to exercise of borrowing powers.

25. During the year ending the thirty-first day of December one thousand eight hundred and eighty-eight the Board shall not (except for such temporary period, not exceeding six months, as the Treasury may from time to time sanction) raise otherwise than in conformity with and to the extent mentioned in this Act any money under any powers of borrowing conferred upon the Board either by this Act or any other Act whatsoever: Provided always, that the limitations contained in this section shall not

extend to limit or control the raising of moneys under the authority of section thirty-four of the Metropolitan Board of Works (Loans) Act, 1869, or of section eight of Metropolitan Board of Works (Loans) Act, 1875, for the purposes in the said sections respectively mentioned. 32 & 33 Vict. c. 102. 38 & 39 Vict. c. 65.

26. Sections twenty-seven to forty-three inclusive of the Metropolitan Board of Works (Money) Act, 1885, shall be deemed to be incorporated with this Act. Incorporation of sections 27 to 43 of 48 & 49 Vict. c. 50.

SCHEDULES.

FIRST SCHEDULE.

NEW MONEY POWERS CONFERRED IN THIS ACT.

Section of Act.	Purpose.	Amount. £	s.	d.
	SUPPLEMENTAL UP TO 31ST DECEMBER 1887.			
4 (i.)	Various Powers Act of 1886 (amount already sanctioned, 53,000*l.*) - - -	5,000	0	0
(ii.)	Bridges (under Act of 1883) (amount already sanctioned, 10,000*l.*) - - - -	21,000	0	0
(iii.)	Thames River Prevention of Floods (amount already sanctioned, 2,000*l.*) - - -	1,000	0	0
(iv.)	Artizans Dwellings (amount already sanctioned, 28,000*l.*) - - - -	29,000	0	0
(v.)	Streets (under Act of 1883) (amount already sanctioned, 61,000*l.*) - - - -	41,000	0	0
(vi.)	Various Powers Act of 1884 (amount already sanctioned, 32,000*l.*) - - - -	12,000	0	0
	UP TO 31ST DECEMBER 1888.			
5 (i.)	Metropolitan Board of Works (Various Powers) Act, 1887 - - - - -	100,000	0	0
(ii.)	Thames Tunnel (Blackwall) - - -	1,568,200	0	0
(iii.)	Artizans Dwellings - - - -	112,850	0	0
(iv.)	London Parks and Works, 1887 - -	20,000	0	0
7	Loans, Vestry of St. Pancras - - -	110,000	0	0
8	Loans to Receiver of the Metropolitan Police District - - - - - -	500,000	0	0
	1ST JANUARY TO 31ST DECEMBER 1888.			
9 (*a*)	Fire Brigade - - - - - -	35,000	0	0
(*b*)	Parks, commons, and open spaces - -	40,000	0	0
(*c*)	Bridges, including Commutation of Pensions (under Act of 1877) - - - -	28,000	0	0
(*d*)	Bridges (under Acts of 1881 and 1884) -	73,000	0	0
(*e*)	Bridges (under Act of 1883) including freeing of East and West Ferry Roads - -	7,000	0	0
(*f*)	Thames River Prevention of Floods - -	1,000	0	0
(*g*)	Artizans' Dwellings - - - -	11,000	0	0
(*h*)	Streets (under Act of 1877) - - -	28,000	0	0
(*i*)	Streets (under Act of 1883), including freeing footbridges over canal - - -	16,000	0	0
(*k*)	Improvements under the Metropolis Management Act, 1855, the Metropolis Management Amendment Act, 1862, including improvements sanctioned by Parliament, for which no provision is elsewhere made in this Act - - - - -	100,000	0	0

Section of Act.	Purpose.				Amount.		
					£	s.	d.
9 (*l*)	Various Powers Act, 1884				11,000	0	0
(*m*)	Various Powers Act, 1885				183,000	0	0
(*n*)	Various Powers Act, 1886				18,000	0	0
10	Main Drainage (including Precipitation Works)				370,000	0	0
11 (i.)	Loans to Vestries and District Boards				300,000	0	0
(ii.)	Loans to other public bodies				100,000	0	0
12	Loans to Guardians				200,000	0	0
13	Loans to Managers of Metropolitan Asylum District				50,000	0	0
14	Loans to School Board for London				250,000	0	0
					4,341,050	0	0
	Amounts included above which are re-grants of borrowing power previously granted:	£	s.	d.			
	Loans to Receiver of Metropolitan Police	200,000	0	0			
	Fire Brigade	20,179	0	0			
	Parks, commons, and open spaces	13,375	0	0			
	Bridges (under Act of 1877)	9,618	0	0			
	Bridges (under Acts of 1881 and 1884)	56,984	0	0			
	Bridges (under Act of 1883)	22,942	0	0			
	Thames River, Prevention of Floods	1,209	0	0			
	Artizans Dwellings	40,000	0	0			
	*Streets (under Act of 1877)	28,000	0	0			
	Streets (under Act of 1883)	10,308	0	0			
	Improvements under Metropolis Management Act, 1855, Metropolis Management Amendment Act, 1862, including Improvements sanctioned by Parliament for which no provision is elsewhere made in this Act	44,871	0	0			
	Various Powers Act, 1884	23,000	0	0			
	Various Powers Act, 1885	183,000	0	0			
	Various Powers Act, 1886	23,000	0	0			
	Main Drainage	147,806	0	0			
	Loans to vestries and district boards	68,050	0	0			
	Loans to other public bodies	63,800	0	0			
	Loans to Guardians	166,500	0	0			
	Loans to Managers of Metropolitan Asylum District	50,000	0	0			
	Loans to School Board for London	140,800	0	0			
					1,313,442	0	0

* This is part of a sum of £156,000 sanctioned by the Treasury under sub-sec. 10 (*h*) of the Metropolitan Board of Works (Money) Act, 1886.

Section of Act.	Purpose.	Amount.
	New borrowing powers—	£ s. d.
	For Board { for 1887, £1,831,742 / for 1888, 375,016 } 2,206,758	3,027,608 0 0
	For Loans { for 1887, 410,000 / for 1888, 410,850 } 820,850	

SECOND SCHEDULE.

Section 3.

Parks and Open Spaces Acts.

The Finsbury Park Act, 1857, 20 & 21 Vict. c. cl.
„ Southwark Park Act, 1864, 27 Vict. c. iv.
„ Gardens in Towns Protection Act, 1863, 26 Vict. c. 13.
„ Leicester Square Act, 1874, 37 Vict. c. x.
„ Metropolitan Open Spaces Act, 1877, 40 & 41 Vict. c. 35.
„ Metropolitan Commons Act, 1866, 29 & 30 Vict. c. 122.
„ „ „ „ Amendment Act, 1869, 32 & 33 Vict. c. 107.
„ „ „ „ 1878, 41 & 42 Vict. c. 71.
„ „ „ Supplemental Act, 1871 (Blackheath), 34 & 35 Vict. c. lvii.
„ „ „ „ „ 1871 (Shepherd's Bush), 34 & 35 Vict. c. lxiii.
„ „ „ „ „ 1872 (Hackney Commons), 35 & 36 Vict. c. xliii.
„ „ „ „ „ 1873 (Tooting Beck Common), 36 & 37 Vict. c. lxxxvi.
„ Metropolitan Board of Works Act, 1874 (Finsbury Park), 37 & 38 Vict. c. xcvii.
„ Metropolitan Board of Works (Various Powers) Act, 1875 (Tooting Graveney Common and Finsbury Park), 38 & 39 Vict. c. clxxix. s. 14.
„ Hampstead Heath Act, 1871, 34 & 35 Vict. c. lxxvii.
„ Metropolitan Board of Works Act, 1877, 40 Vict. c. viii. (Forest Hill Recreation Ground and Commons, &c., Byelaws).
„ Metropolitan Commons Supplemental Act, 1877 (Clapham Common and Bostall Heath), 40 & 41 Vict. c. cci.
„ Plumstead Common Act, 1878, 41 & 42 Vict. c. cxlv.
„ Wormwood Scrubs Act, 1879, 42 & 43 Vict. c. clx.
„ Metropolitan Commons Supplemental Act, 1881 (Brook Green, Eel Brook Common, &c.), 44 Vict. c. xviii.
„ Metropolitan Board of Works (Hackney Commons) Act, 1881, 44 & 45 Vict. c. cxlvii.
„ Metropolitan Open Spaces Act, 1881, 44 & 45 Vict. c. 34.
„ Metropolitan Board of Works (Various Powers) Act, 1882 (Peckham Rye and Tooting Beck), 45 & 46 Vict. c. lvi.
„ Metropolitan Commons Supplemental Act, 1884 (Streatham Common), 47 & 48 Vict. c. ii.

The Metropolitan Board of Works (Various Powers) Act, 1884 (Plumstead Common and Hackney Commons), 47 & 48 Vict. c. ccxxiii.

„ Metropolitan Board of Works (Various Powers) Act, 1885 (Highbury Fields, Dulwich Park, and Plumstead Common), 48 & 49 Vict. c. clxvii.

„ Metropolitan Board of Works (Various Powers) Act, 1886 (Little Wormwood Scrubs and Dulwich Park), 49 & 50 Vict. c. cxii.

CHAPTER 32.

An Act for extending certain Provisions of the Metropolitan Open Spaces Acts, 1877 and 1881, with Amendments, to Sanitary Districts throughout England, Wales, and Ireland; and for other purposes. [23rd August 1887.]

40 & 41 Vict. c. 35. 44 & 45 Vict. c. 34.

WHEREAS by the Metropolitan Open Spaces Acts, 1877 and 1881 (herein called the principal Acts), certain facilities were provided for making available the open spaces and burial grounds in the Metropolis for the use of the inhabitants thereof for exercise and recreation, and it is expedient to provide facilities for making available open spaces and burial grounds in all sanitary districts in England, Wales, and Ireland, for the like use of the inhabitants thereof, and to make other provisions for the purpose aforesaid, and also to amend the Metropolitan Open Spaces Act, 1881, and the Disused Burial Grounds Act, 1884:

47 & 48 Vict. c. 72.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation.

1. In this Act, unless the context otherwise requires, the expression "urban sanitary district" and the expression "urban authority" respectively, and the expressions "rural sanitary district" and "rural authority" respectively shall have the meanings assigned to them respectively by the Public Health Act, 1875.

38 & 39 Vict. c. 55.

Amendment of 44 & 45 Vict. c. 34.

2. (1.) The Metropolitan Open Spaces Act, 1881, is hereby repealed to the extent mentioned in the Schedule to this Act, and the second section of the said Act is hereby amended, as follows (that is to say), the purchase money paid for or in respect of the purchase of any open space as therein mentioned shall be held in trust, either as in the said section mentioned, or as the case may be, for the benefit of the objects to which any rates previously imposed in respect of such open space had been applied.

(2.) The playing of any games or sports shall not be allowed in any churchyard, cemetery, or burial ground in or over which any estate, interest, or control is acquired under section five of the Metropolitan Open Spaces Act, 1881.

Provided that—

(*a.*) In the case of consecrated ground, the bishop, by any license or faculty granted under the Metropolitan Open Spaces Act or this Act, and

(*b.*) In the case of any churchyard, cemetery, or burial ground which is not consecrated, the body from which any such estate, interest, or control as aforesaid is acquired

may expressly sanction any such use of the ground, and may specify any conditions as to the extent or manner of such use.

Provision as to removal of tombstones and monuments.

3. In the case of any disused churchyard, cemetery, or burial ground, at least three months before any tombstone or monument is moved, the following steps shall be taken:

(*a.*) A statement shall be prepared sufficiently describing by the name and date appearing thereon the tombstones and monuments standing or being in the ground, and such other particulars as may be necessary;

(*b.*) Such statements shall be deposited with the clerk of the board or vestry, and shall be open to inspection by all persons;

(*c.*) An advertisement of the intention to remove or change the position of such tombstones and monuments shall be inserted three times at least in some newspaper circulating in the neighbourhood of the burial ground, and such advertisement shall give notice of the deposit of such statement as is hereinbefore described, and of the hours within which the same may be inspected;

(*d.*) A notice in terms similar to the advertisement shall be placed on the door of the church (if any) to which such churchyard, cemetery, or burial ground is attached, and shall be delivered or sent by post to any person known or believed by the board or vestry to be a near relative of any person whose death is recorded on any such tombstone or monument.

In the case of any consecrated ground no application for a faculty shall be made until the expiration of one month at least after the appearance of the last of such advertisements as aforesaid.

Provided that on any application for a faculty, nothing shall prevent the bishop from directing or sanctioning the removal of any tombstone or monument if he is of opinion that reasonable steps have been taken to bring the intention to effect such removal to the notice of some person having a family interest in such removal.

Amendment of 47 & 48 Vict. c. 72.

4. In the Disused Burial Grounds Act, 1884, and this Act, the expression "burial ground" shall have the same meaning as in the Metropolitan Open Spaces Act, 1881, as amended by this Act, and the expression "disused burial ground" shall mean any burial ground which is no longer used for interments, whether or not such ground shall have been partially or wholly closed for burials under the provisions of any statute or Order in Council, and the expression "building" shall include any temporary or moveable building.

Extension of certain provisions of Metropolitan Open Spaces Acts to urban and certain rural sanitary districts.

5. All the provisions of the principal Acts as amended by this Act (except sections four, five, six, seven, and eight of the Metropolitan Open Spaces Act, 1877, and so much of section six of the Metropolitan Open Spaces Act, 1881, as begins with the words "byelaws made under this Act" and ends with the figures "1855," and also except sections ten, eleven, twelve, and thirteen of the last-mentioned Act,) shall extend and be applicable to and in respect of any and every urban sanitary district, and any and every rural sanitary district in respect of which the sanitary authority shall have been invested by an order of the Local Government

Board with the powers of this Act, and to the open spaces and burial grounds in such districts respectively; and for the purpose of such extension and application to every such district, every urban authority and every such rural authority shall have and may exercise, and there shall be vested in such authority in and for its district, all and every or any such powers, authorities, and capacities in respect of, or in relation to, open spaces or burial grounds within such district as the Metropolitan Board of Works, herein called the Metropolitan Board, by virtue of the principal Acts as amended by this Act have or may exercise or enjoy with regard to open spaces or burial grounds within the Metropolis or any of them; and for the purposes of this Act and in respect of any and every open space or burial ground within any such sanitary district, and of any and every such authority, the principal Acts shall be read and take effect as if the word "Metropolis" when used therein meant the same sanitary district, and as if the words "Metropolitan Board" and "Board" when used therein meant the sanitary authority of the same district, and as if the words "any two or more London daily papers," whenever they occur therein, meant "any two or more local newspapers circulating within the sanitary district."

Extension of 40 & 41 Vict. c. 35. to vestries and district boards.

6. All powers and duties conferred upon the Metropolitan Board by the Metropolitan Open Spaces Act, 1877, may, after the passing of this Act, be exercised and performed by any vestry or district board of works for the parishes and districts specified in Schedules A. and B. of the Metropolis Management Act, 1855, as amended by subsequent Acts.

Power of corporation to make free gift of land for open space.

7. Any corporation other than municipal corporations or body of persons having power, either with or without the consent of any other corporation or body of persons, to sell land belonging to such corporation or body may, but with the like consent (if any), convey, for valuable or nominal consideration or by way of gift, to any urban or rural authority such land, or any part thereof, for the purpose of the same being preserved as an open space for the enjoyment of the public, and may so convey the same with or without conditions, and the urban or rural authority may accept such open space, and, if conditions are imposed, subject to such conditions, and such open space shall be deemed to be an open space within the meaning of the principal Acts and this Act.

Where a corporation having power under this section to convey land are themselves the urban or rural authority, this section shall enable such authority to appropriate their land for an open space, and shall, with the necessary modifications, apply to such appropriation in like manner as it applies to the conveyance.

Expenses.

8. (1.) All expenses incurred under this Act by an urban or a rural authority shall be deemed to have been incurred in the execution of the Public Health Act, 1875, and shall be defrayed accordingly, and the purposes of this Act shall be deemed to be the purposes of the Public Health Act, 1875.

(2.) Provided that the expenses incurred by a rural authority shall be deemed to be special expenses under that Act incurred in respect of the contributory place or places for which the powers of this Act are exercised, and all the provisions of the Public

Health Act, 1875, which would be applicable in the case of an apportionment of special expenses for works for the common benefit of two or more contributory places, shall apply to any such expenses.

Saving for Crown lands.

9. This Act shall not extend to any land belonging to Her Majesty in right of Her Crown or of Her Duchy of Lancaster, or to any garden or ornamental ground for the time being under the management of the Commissioners for the time being of Her Majesty's Works and Public Buildings.

Byelaws.

10. All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six (both inclusive) of the Public Health Act, 1875, shall apply to all byelaws from time to time made by an urban or rural authority under the powers of this Act, and the penalties imposed by any such byelaws may be recovered in a summary manner.

Power over open spaces already vested in sanitary authority.

11. The Metropolitan Board or the sanitary authority may exercise all the powers given to them by the Metropolitan Open Spaces Act, 1881, or this Act respecting open spaces, churchyards, cemeteries, and burial grounds transferred to them in pursuance of the said Act or of this Act in respect of any open spaces, churchyards, cemeteries, and burial grounds of a similar nature which are or shall be vested in them in pursuance of any other statute, or of which they are otherwise the owners.

Power of Metropolitan Board with respect to public walks or pleasure grounds.

12. The Metropolitan Board may purchase or take on lease, lay out, plant, improve, and maintain lands for the purpose of being used as public walks or pleasure grounds, and may support or contribute to the support of public walks or pleasure grounds provided by any person whomsoever.

Extension of Acts to Ireland.

13. The principal Acts and this Act shall apply to Ireland, subject to the following provisions:

In the said Acts—

41 & 42 Vict. c. 52.

References to the Public Health Act, 1875, shall be construed as references to the Public Health (Ireland) Act, 1878, and the reference to sections one hundred and eighty-two to one hundred and eighty-six of the first-mentioned Act shall be construed as referring to sections two hundred and nineteen to two hundred and twenty-three of the latter Act.

Reference to any private or local Act of Parliament shall be construed so as to include any Act of the Parliament of Ireland.

References to a "vestry," "district board," "corporation," or "Metropolitan Board" shall be construed as references to the sanitary authority.

References to the London daily papers shall be construed as references to any newspapers, daily or weekly, circulating within the district of the sanitary authority.

References to Her Majesty's Council shall be construed as references to Her Majesty's Privy Council in Ireland.

References to the Local Government Board shall be construed as references to the Local Government Board for Ireland.

23 & 24 Vict. c. 106. 14 & 15 Vict. c. 70. 23 & 24 Vict. c. 97.

References to the Lands Clauses Act, 1845, shall be construed as references to that Act, as amended by the Lands Clauses Consolidation Acts Amendment Act, 1860, the Railways

27 & 28 Vict. c. 71. 31 & 32 Vict. c. 70.

(Ireland) Act, 1851, the Railways (Ireland) Act, 1860, the Railways (Ireland) Act, 1864, and the Railways Traverse Act.

Nothing contained in the principal Acts or in this Act shall apply to any land for the time being under the management of the Commissioners of Public Works in Ireland, or belonging to the Benchers of the King's Inns in Dublin.

Short title and construction.

14. This Act may be cited as the Open Spaces Act, 1887, and may be read with the principal Acts as one Act.

SCHEDULE.

Portions of the Metropolitan Open Spaces Act, 1881, repealed.

In section one, the following words occurring in the definition of an "open space," viz., "but shall not include any enclosed land which has not a public road or footpath completely round the same."

In the same section, the following words occurring in the definition of a "burial ground," viz., "and in which interments have taken place since the year 1800."

In the second paragraph of section five, the words, "but such metropolitan board, vestry, or district board shall not allow the playing of any games or sports therein."

CHAPTER 33.

An Act to amend the Land Law (Ireland) Act, 1881, and the Purchase of Land (Ireland) Act, 1885, and for other purposes connected therewith. [23rd August 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Amendments of General Application.

Leaseholders.

1. At any time within two years after the passing of this Act on the application in the prescribed manner to the court by the lessee of any holding who at the expiration of his lease existing at the passing of the Land Law (Ireland) Act, 1881, would be deemed to be a tenant of a present ordinary tenancy from year to year within the meaning of the said Act, at the rent and subject to the conditions of the lease, or would be so deemed but for the fact that such lease would not expire within sixty years after the passing of the Land Law (Ireland) Act, 1881, such lessee shall, if bonâ fide in occupation of his holding, be deemed to be a tenant of a present tenancy in like manner and subject to like conditions, and subject to the same right of resumption as if his lease had expired, and his holding shall be subject to all the provisions of the said Act of 1881 with regard to present tenancies as if the tenancy therein were a tenancy from year to year.

44 & 45 Vict. c. 49.

This section shall apply only to leases expiring within ninety-nine years after the passing of the Land Law (Ireland) Act, 1881,

and every lease existing at the passing of the Land Law (Ireland) Act, 1881, for any life or lives then existing, with or without any term of years not exceeding ninety-nine years where such term is concurrent, or thirty-one years where such term is in reversion, and not being renewable in any case, shall, for the purposes of this section, be deemed to be a lease so expiring.

In case of a lessee becoming present tenant under this section, the court shall not for fifteen years from the commencement of such present tenancy authorise resumption by the landlord under this section.

Perpetuities may be set aside.

2. In case of a lease or grant existing at the date of the Land Law (Ireland) Act, 1881, and executed since the first day of January one thousand eight hundred and sixty-nine, of a holding bonâ fide in the occupation of the tenant or grantee, and to which, but for the length of the term, section one of this Act would apply, if the court is satisfied that the acceptance thereof by the tenant or grantee was procured by the landlord by threat of eviction, or undue influence, or other inequitable means, the court may, upon the application of the tenant or grantee or the successor in title of the tenant or grantee made within six months after the passing of this Act, declare such lease or grant to be void as and from the date of the order, upon such terms as to costs and otherwise as the court may deem just, and thereupon such tenant shall be deemed to be tenant of a present ordinary tenancy from year to year at the rent mentioned in such lease, and subject to such conditions thereof as the court may deem just.

Exceptional provisions for certain leaseholders.

3. A lease to which section one of this Act would otherwise apply, shall be deemed to be within the said section if made or agreed to be made after the passing of the Land Law (Ireland) Act, 1881, and before the first day of January, one thousand eight hundred and eighty-three, where the lessee had been tenant in occupation of the holding under a contract of tenancy expiring after the twenty-ninth day of September, one thousand eight hundred and eighty, and had thenceforward continued in such occupation as tenant or caretaker, or otherwise, with the assent of the landlord, to the time of the making of such lease: Provided the court, having regard to all the facts of the case, is of opinion that the making of such lease was deferred with the object of defeating the provisions of the Land Law (Ireland) Act, 1881.

In this section the expression "lessee" shall include the person or persons who would have been successors in title of the tenant under the previous contract of tenancy if such tenancy had continued and had become vested in the lessee.

Subletting to labourers and others.

4. A tenant shall for the purpose of the Land Law (Ireland) Act, 1881, and of this Act, be deemed to be in bonâ fide occupation of his holding notwithstanding that he has sublet part thereof, provided the subletting is for the use of a labourer or labourers bonâ fide employed and required for the cultivation of the holding, and the court deems such subletting reasonable, and sanctions the same. The land comprised in each such letting shall not exceed half an acre in extent, and the court shall have regard to the size and character of the holding, and may prescribe such

terms as to rent and otherwise with regard to the part sublet as it thinks fit.

A tenant may also be deemed in occupation of his holding notwithstanding that part is sublet, where the subletting is of a trivial character, and the court deems the tenant to be substantially in occupation of the holding, and the court may prescribe like terms as to rent and otherwise. This section shall not apply to a subletting made by a tenant during a statutory term nor to a subletting made after the passing of this Act.

Judicial rent may commence on date of application to the court.

5. When the court on application fixes a judicial rent for a holding, the judicial rent shall be the rent payable by the tenant of the holding as from the gale day next after the making of the application, and the court shall proceed to take an account between the parties of the difference between the rent which has been paid by the tenant since the said gale day and the judicial rent, and any sum found on such account to be due from the landlord to the tenant shall be deducted by the tenant from the rent thereafter accruing due from him, and any sum found on such account to be due to the landlord from the tenant shall be paid by the tenant as an addition to the rent.

In case of an application to fix a judicial rent made before the gale day next following the passing of this Act, if the judicial rent is fixed at a lower rate than the rent previously payable, the tenant may deduct from the amount of the judicial rent payable by him such sum as he may have paid over and above the amount of the judicial rent in respect of the half year expiring on the gale day aforesaid.

Consolidation of proceedings in ejectment, and application for fair rent.

6. Where an ejectment is brought in any civil bill court for the nonpayment of the rent of a holding for which a judicial rent has not been fixed, the defendant may apply, in the prescribed manner, to the court to fix a fair rent for the holding, and the court may thereupon dispose of the said application, and of the ejectment at the same time.

Provided always that every order made under this section fixing a fair rent shall be subject to the like appeal as if the same had been made in the ordinary manner under the Land Law (Ireland) Act, 1881.

Substitution of a written notice for the execution of an ejectment.

7.—(1.) In the case of any holding for which a judgment in ejectment for nonpayment of rent has been recovered, where the rent does not exceed one hundred pounds by the year, and in every other case of judgment in ejectment for nonpayment of rent in which the plaintiff shall elect to take advantage of and proceed under this section, the period within which an application for a writ of restitution of possession may be made in the manner provided by the seventieth and seventy-first sections of the Landlord and Tenant Law Amendment Act (Ireland), 1860, shall be a period of six months after the service of a notice under this section. Such notice shall state truly the exact amount claimed by the plaintiff as payable for redemption and the place or places where and the person or persons to whom the same may be paid or tendered during the said period and may be in the form contained in the schedule to this Act, or to the like effect, and may be served after six weeks from the date of judgment, but not earlier unless

23 & 24 Vict. c. 154.

the court shall permit, by the person entitled to the possession of land under a judgment in ejectment for nonpayment of rent, upon every person served with the writ or process in such ejectment who at the time of the service of the notice shall be in possession of such land; in all such cases a copy of the said notice shall be sent in a registered letter addressed to the tenant, and a summary of such notice in the prescribed form shall be posted by or on behalf of the landlord on a police barrack or court house in the district in the prescribed manner and within the prescribed time; and if no such person is in possession, it may be posted in the prescribed manner; and a copy of such notice shall be filed in the court in which such action is pending within the prescribed time. Upon such service or posting the tenancy in the holding shall be determined as if a writ of possession under the judgment had been duly executed.

(2.) Upon the determination of the tenancy by the service of such notice as aforesaid every person upon whom such notice is served shall thereupon be deemed to be a person put into possession as a caretaker, and the enactments of the Landlord and Tenant Law Amendment Act (Ireland), 1860, relating to persons put into possession of lands by permission of the owner as caretakers shall apply as if on the date of the service of the notice a writ of possession had been duly executed, and such person, having been removed from possession, had been re-admitted as caretaker. When a person is deemed to have been put into possession of land as a caretaker under this section, he may be removed from possession at any time after one month from the service of such notice, but not earlier save by leave of the court, in the manner and under the conditions provided by law for the recovery of possession of premises occupied by a caretaker: or, at the expiration of the period of redemption, but not sooner, the possession of such land may be recovered by a writ of possession in the prescribed form under the said judgment in ejectment for nonpayment of rent; and in the case of proceedings being taken under the eighty-sixth section of the Landlord and Tenant Law Amendment Act (Ireland), 1860, for the removal from possession of such caretaker, the justices may, at the request of the landlord or owner of the premises, issue the warrant mentioned in such section to the sheriff of the county in which the premises are situated instead of to the special bailiff mentioned in the section, and such warrant shall be a sufficient authority to the said sheriff, his under sheriff or bailiff, to enter upon the said premises with such assistants as he shall deem to be necessary and to give possession accordingly; and he shall be under the same obligation to execute such warrant, and shall be entitled to the same fees and allowances, as if the warrant were a civil bill decree in ejectment, nevertheless payable solely by such landlord or owner of the premises. The justices may put a stay upon the issue of the warrant for any time not exceeding one month, if they think fit, by reason of illness of the caretaker or his family or any other sufficient reason. A warrant may be executed at any time not less than seven days nor more than two months from the issue thereof. The enactments of the eleventh and twelfth Victoria, chapter forty- 11 & 12 Vict. c. 47.

seven, intituled "An Act for the Protection and Relief of the "Destitute Poor evicted from their Dwellings in Ireland," shall apply to warrants under this section.

Save as provided by this Act, a judgment in ejectment for nonpayment of rent of a holding where the rent does not exceed one hundred pounds by the year, or where the plaintiff elects to take advantage of and proceed under this section, shall not be executed by a writ of possession after the passing of this Act; but shall issue in the same form and manner, and for all other purposes shall be of the same force and effect as if this section had not been passed.

23 & 24 Vict. c. 154.

(3.) A person having the right to apply for a writ of restitution under the seventieth or seventy-first sections of the Landlord and Tenant Law Amendment Act (Ireland), 1860, may, within six months after the service of a notice under this section, apply for a writ of restitution of possession as if a writ of possession had been executed against him; and, subject to power to the court to award the costs thereof against the plaintiff if the application became necessary by reason only of the unreasonable conduct of the plaintiff, all the provisions of the said sections relative to the payment or lodgment of rent, arrears, and costs, and relative to the rights of the landlord and tenant respectively in the holding, shall regulate such application. At the end of the period of six months from the service of the notice determining the tenancy all right of redemption in the holding shall be at an end. In case such writ of restitution of possession shall be awarded, the landlord shall not be liable or accountable for any damage or injury occurring to the holding or the crops or produce thereof after the service of the notice aforesaid whilst the holding has been occupied by such caretaker. Provided that the landlord may nevertheless, if he so think fit, after such period has elapsed, reinstate such tenant in the tenancy of his holding in as full and ample a manner as he had previously thereto enjoyed it.

23 & 24 Vict. c. 154 44 & 45 Vict. c. 49.

When a notice has been served under this section, any matter or thing which, in accordance with the Landlord and Tenant Law Amendment Act (Ireland), 1860, or the Land Law (Ireland) Act, 1881, or any other Act, might have been done within, but not after, a period of six months from the execution of a writ of possession, may be done within, but not after, a period of six months from the service of such notice; and in the said Acts the period of six months from the service of such notice shall be in lieu of the period of six months from the execution of a writ of possession.

Where a judgment in ejectment for nonpayment of rent has been executed before the passing of this Act, the time within which a writ of restitution of possession may be applied for shall be the time limited by the Landlord and Tenant Law Amendment Act (Ireland), 1860, in that behalf.

Service of a notice under this section, also the service of a summons under the eighty-sixth section of the Landlord and Tenant Law Amendment Act (Ireland), 1860, may be made in the prescribed way, or in any way in which the service of a writ of summons in an action in the High Court for the recovery of land may for the time being be made.

In this section expressions referring to the service of a notice upon persons in possession of land shall include the posting of a notice where no person is in possession.

A right to be registered as a voter or to vote at any parliamentary or other election shall not be affected by reason only of the service of a notice or notices under this section.

(4.) A return of the number of notices filed in court under this section, and, as far as possible, of the actual evictions in respect of such notices, shall be made from time to time to the Lord Lieutenant, and shall be presented by him to Parliament.

Power of surrender by middleman.

8.—(1.) Where a person (in this Act referred to as a middleman) pays rent for a holding which is wholly sublet, and the rent received by the middleman has been reduced by the court, or with the sanction of the court to a sum less than the rent which he pays, he may surrender his estate in such holding, without prejudice, however, to any liability incurred by him before such surrender, whether for rent or for any other matter.

(2.) Where only part of the holding is sublet, and the rent received by the middleman for the part so sublet has been reduced by the court, or with the sanction of the court, so that when added to the fair rent of the part of the holding which is not sublet, to be ascertained and determined by the court as herein-after mentioned, it is of less amount than the rent paid by the middleman, then also he may surrender his estate in the manner aforesaid.

(3.) In computing the amount of rent received by a person entitled to surrender under this section, twenty per centum deduction from the gross rent shall be allowed for cost of collection and other outgoings.

(4.) A person shall not be entitled to make a surrender under this section of an estate in land until he has first offered to the persons entitled to incumbrances on that estate, successively according to their priorities, to assign his estate to them.

(5.) When any estate in land is surrendered under this section, incumbrances on that estate shall not affect the land; but the persons entitled to such incumbrances may enforce payment thereof by any proceedings other than proceedings affecting the land, which they might have taken if such surrender had not taken place.

(6.) A person who is tenant for life of an estate capable of being surrendered under this section, or has, as respects such estate, the powers of a tenant for life within the meaning of the Settled Land Act, 1882, may surrender such estate in the like manner and subject to the like conditions as if such surrender were a sale within the meaning of the Settled Land Act, 1882. 45 & 46 Vict. c. 38.

(7.) A surrender under this section shall be by deed or note in writing.

(8.) The person to whom a surrender is proposed to be made shall not be bound thereby unless written notice of the intention to surrender be served within nine months after the passing of this Act, or within nine months after the making of the reduction of rent, upon which the right to surrender is founded, whichever shall last happen.

The person to whom a surrender is proposed to be made may apply to the court to restrain the surrender, upon the ground that the order

of the court reducing the rent has been procured by collusion or other undue means, or that for any other reason the surrender is inequitable.

(9.) Where any person claims to be entitled under this section to surrender his estate in any holding, part whereof only is sublet, the court shall have jurisdiction for the purpose of a surrender, to ascertain and determine the fair rent of the part not sublet, as if such part constituted a holding, and the person claiming to be entitled to surrender were the tenant, and the person to whom the surrender is proposed to be made were the landlord of such holding.

(10.) Where any estate in land is surrendered under this section, all sub-tenants of the person surrendering such estate shall thereupon become tenants to the person to whom such surrender is made at the rents and subject to the conditions of their sub-tenancies under the person so surrendering.

(11.) In this section the expression "holding" includes land held under a fee farm grant, and the expression "rent" includes the rent payable thereunder.

Town parks.

9. A holding shall not be deemed to constitute a town park, though within the definition of the expression "town parks" in section fifty-eight of the Land Law (Ireland) Act, 1881, if it is let and used as an ordinary agricultural farm, and may, in the opinion of the court, be included in the operation of the last-mentioned Act without substantially interfering with the improvement or development of the city or town to which it belongs, or the accommodation of the inhabitants thereof.

44 & 45 Vict. c. 49.

A town park shall not cease to be within the exemption contained in section fifty-eight of the Land Law (Ireland) Act, 1881, by reason only of the occupier ceasing to live in the city or town to which it belongs, or in the suburbs thereof, or by reason only of such town park devolving upon or becoming vested in a person not living in such city or town or in the suburbs thereof.

A parcel of land shall not come within the said exemption by reason only of the occupier coming to live in the city or town, or the suburbs thereof, or by reason only of the same devolving or being vested in a person living in such city or town, or the suburbs thereof.

PART II.

Purchase of Land.

Investment of guarantee deposit.

10. A guarantee deposit made under the Purchase of Land (Ireland) Act, 1885, may, on the application of the person by whom the deposit was made, or of any person for the time being interested in it, be invested by the Land Commission in the same investments in which it might have been invested under the direction of the High Court, if it had been capital money arising under the Settled Land Act, 1882, and paid into court, or in any securities in which trustees are by law for the time being authorised to invest trust moneys; and the interest thereof may be paid by the Land Commission to the person entitled thereto.

48 & 49 Vict. c. 73.

45 & 46 Vict. c. 38.

Trust funds may be applied as a guarantee deposit.

11. On the occasion of the sale of any holding under the Purchase of Land (Ireland) Act, 1885, any person in whom any

incumbrance charged upon the land constituting or comprising such holding is vested as a trustee, also any person who is a trustee for sale thereof, may apply any moneys, being the proceeds of the sale, coming to him as such trustee, for a guarantee deposit under the said Act.

Case where incumbrance is charged on several estates.

12. In any case in which, upon the sale of a holding under the said Act, any moneys, being the proceeds of such sale, coming to an incumbrancer upon such holding in respect of his incumbrance, are applied by him for the purposes of a guarantee deposit under the said Act, then if such incumbrance affect not only the said holding but also other lands the Commission may by order declare that such incumbrance shall, to the extent of the moneys so applied as a guarantee deposit, continue to be a charge upon such other lands in the same priority as it possessed before such sale; provided, however, that such order shall not be made unless the Commission be satisfied that all persons in whom incumbrances upon such other lands puisne to the said incumbrance are vested, consent thereto, and for the purposes of this section, all such persons, whether the incumbrances be vested in them as trustees or otherwise, may give such consent.

Provided also, that the Commission may, by the same or any other order, dispense with the consent of any such person or persons in any case in which, having due regard to the rights and interests of all parties concerned, it shall appear to them expedient to do so.

Duty of Land Commission with respect to enforcement of arrears.

13. The Land Commission shall not make an order under the third section of the Purchase of Land (Ireland) Act, 1885, declaring any sum due to them in respect of an advance secured by a guarantee deposit under that Act to be an irrecoverable debt until they have first attempted to enforce the payment of that sum by action or civil bill process, where there appears to be a reasonable probability of the debt being recoverable by such proceedings. In addition to any other remedy provided by the Land Law (Ireland) Acts, every annuity payable thereunder to the Land Commission, whether created before or after the passing of this Act, shall be recoverable by the Land Commission in the manner in which rentcharges in lieu of tithes are recoverable in Ireland.

Expediting proceedings on sales.

14. When an agreement has been made between a landlord and a tenant for the sale of a holding, and the Land Commission are satisfied that the landlord and the tenant are primâ facie entitled to carry such agreement into effect, and the Land Commission have agreed to make an advance under the Land Law (Ireland) Acts, the following enactments for facilitating the completion of the sale shall apply:—

(1.) The Land Commission may, if they think fit, pay into the Bank of Ireland the whole or any part of the amount of the advance to such credit as they may direct, and in any case where the tenant provides any portion of the purchase money may cause the same to be paid to the like credit, and may by order declare that the claims of all persons (except the tenant and persons claiming under him) who are interested in the land sold, whether as incumbrancers or otherwise, shall attach to the purchase money of such land in like manner as immediately before the sale they attached to the land, and shall

cease to be of any validity as against the land, and subject as in this Act mentioned shall be discharged or redeemed out of the purchase money, and the Land Commission shall determine the rights and priorities of the landlord and such other persons, and shall distribute the purchase money in accordance with such rights and priorities. Where the purchase money or any part of it is not immediately distributable, or the persons entitled thereto are not ascertained, or where from any other cause the Land Commission think it expedient for the protection of the rights of the persons interested, then the Land Commission shall, as the case requires, either retain the same under their control or deal with the same in the manner provided by the Settled Land Act, 1882, with respect to capital money arising under that Act, and may by order declare the trusts affecting such money or share, so far as the Land Commission have ascertained the same, or state the facts or matters found by them in relation to the rights and interests therein; and the Land Commission may from time to time make such orders in relation to any purchase money or share and the investment or application thereof, or the payment thereof, or the annual income thereof to the persons interested, as the circumstances of the case may require.

45 & 46 Vict. c. 38.

(2.) The Land Commission may at or after the time of making such order as above mentioned, and notwithstanding that it may have been agreed that the sale shall be carried into effect by means of a conveyance, exercise the powers contained in section nine, subsection five, of the Purchase of Land (Ireland) Act, 1885.

48 & 49 Vict. c. 73.

(3.) Any person in occupation of and paying rent for a holding which is held under a contract of tenancy, shall have power to enter into an agreement for the purchase thereof. Where a holding shall be conveyed to or vested in any such person, the interest thereby assigned to him shall be deemed to be a graft upon the previous interest of the tenant in such holding, and shall be subject to any rights or equities arising from its being such graft.

Crown rents, quitrents, and tithe rentcharge.

15.—(1.) When any land sold under the Land Law (Ireland) Acts is subject with other lands to any Crown rent, quitrent, or tithe rentcharge, the Land Commission may, if they think it expedient, apportion such Crown rent, quitrent, or tithe rentcharge, between the land sold and the other land, in such manner as to them seems equitable; and when any such land is subject with other lands to any land improvement charge or drainage charge, the Commissioners of Public Works, on the requisition of the Land Commission, may apportion the same between the land sold and other lands, and may issue a certificate setting forth such apportionment.

Upon any apportionment being made under this section, such portion of the rent or rentcharge or charge as is apportioned to the land sold shall alone be deemed to be the Crown rent, quitrent, tithe rentcharge, or drainage charge chargeable on the land sold.

(2.) The Land Commission may, if they think it expedient, order the redemption of any Crown rent, quitrent, or tithe rentcharge, or any apportioned part thereof, at a price to be fixed by the Land Commission. They may also, if they think it expedient, order the redemption of any land improvement charge or drainage charge or apportioned part thereof in accordance with the scale fixed by the statutes in that behalf.

(3.) No such apportionment or redemption of Crown or quitrent shall be made without the previous consent of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and no such apportionment or redemption of land improvement charge or of drainage charge payable to the Commissioners of Public Works, or redemption of tithe rentcharge payable to the Land Commission, shall be made without the previous consent of the Commissioners of the Treasury.

For the purpose of this section, the Commissioners of the Treasury may from time to time make rules for regulating the mode of giving consents, and the terms upon which consents shall be given.

When any such land sold is subject with other lands to any incumbrance as defined by this Act, the Land Commission may, if they think it expedient, require the persons entitled to such incumbrance to accept the money advanced for the purchase of the land sold in part discharge of the incumbrance, and the Land Commission may, if they think it expedient and just so to do, by order declare the land sold to be discharged of all incumbrances and upon the making of such order the incumbrances therein mentioned shall cease to be a charge upon such land.

Apportionment and redemption of annuities and charges.

16.—(1.) When any land sold under the Land Law (Ireland) Acts is subject with other lands to any annuity or rentcharge, the Land Commission may, if they think it expedient, by order apportion the same as between such land and the other lands subject thereto, and thereupon such part of the annuity or rentcharge as is apportioned on the land to be sold shall alone be deemed to be the annuity or rentcharge chargeable on such land.

(2.) When the Land Commission exercise the power of apportionment conferred on them by this section, and also when the Land Commission exercise the power of apportionment of rent conferred on them by the seventy-second section of the Landed Estates Court Act as extended by the tenth section of the Purchase of Land (Ireland) Act, 1885, then the part of an annuity, rentcharge, or rent which is apportioned upon any land sold shall cease to be a charge upon the land, and shall be transferred to the purchase money thereof; the last-mentioned power of apportionment may be exercised in any case notwithstanding that it may have been agreed that the sale shall be carried into effect by means of a conveyance.

(3.) The Land Commission shall, on the application of the person entitled to a part of an annuity, rentcharge, or rent, which part shall have been apportioned by them upon land sold, and may, if they think it expedient, without such application, order the redemption of such annuity, rentcharge, or rent, or of an apportioned part thereof, and may, notwithstanding the fact that no apportionment

has been made, order the redemption of any annuity, rentcharge, or rent affecting land sold, at a price to be fixed by agreement between the parties, or to be determined by the Land Commission, if the parties consent that the Land Commission should determine it, or if they do not consent, then to be settled by arbitration in the manner provided by the twenty-fifth section and the schedule of the Landlord and Tenant (Ireland) Act, 1870; the award of the Court of Arbitrators shall be recorded in the Court of the Land Commission, and the provisions relating to the Civil Bill Court, in the said schedule contained, shall, for the purposes of this section, be taken to apply to the Land Commission.

A person who is tenant for life of an estate in any annuity, rentcharge, or rent to which this section applies, or who has, as respects such annuity, rentcharge, or rent, the power of a tenant for life within the meaning of the Settled Land Act, 1882, shall be deemed to be a person entitled thereto; and if such annuity, rentcharge, or rent is redeemed under this section, the purchase money shall be dealt with as capital moneys arising under the said Act.

Limit on advances by Land Commission.

17. No advances shall be made by the Land Commission to any one purchaser of land under the Land Law (Ireland) Acts exceeding the sum of five thousand pounds in all.

Charging order for securing repayment of advance.

18.—(1.) Every advance made by the Land Commission under the Land Law (Ireland) Acts shall be secured by an order of the Land Commission declaring the land upon which such advance is made to be charged with the repayment of the advance with interest in such manner as the order may direct. In case any interest or instalment mentioned in such order, or in any order made by a land judge of the Chancery Division of the High Court of Justice in Ireland, under the provisions of the Land Law (Ireland) Acts, shall be in arrear for the space of forty days after the time the same might be paid, it shall be lawful for the Land Commission to exercise the powers of sale and other powers conferred upon mortgagees by sections nineteen, twenty-one, and twenty-two of the Conveyancing and Law of Property Act, 1881, so far as the same is applicable. The Land Commission shall apply the moneys arising upon any such sale in manner provided by section fifteen of the Purchase of Land (Ireland) Act, 1885.

44 & 45 Vict. c. 41.

48 & 49 Vict. c. 73.

(2.) Section thirty-four, subsection three, of the Land Law (Ireland) Act, 1881, and subsection (*c*) of section four of the Purchase of Land (Ireland) Act, 1885, shall be and the same are hereby repealed.

44 & 45 Vict. c. 49.

Jurisdiction of High Court to reduce rents in certain cases.

19. Where an absolute order for the sale of land is made by a judge of the Chancery Division of the High Court of Justice in Ireland, and a receiver has been appointed, it shall be lawful for a judge of the said division to make, upon such terms as he thinks fit, a temporary abatement in the rent, or a remission of a part of the arrears of rent, due from a tenant of a holding on such land, if, having regard to all the circumstances of the case, and to the interests of the parties, owners, petitioners, or incumbrancers consenting or refusing to consent thereto, he thinks it just and expedient so to do.

Priority of charge for advance.

20. Every annuity payable in respect of any advance made either before or after the passing of this Act to enable a tenant to purchase

a holding under the Land Law (Ireland) Acts, shall be a charge on the holding subject thereto, having priority over all existing and future estates, interests, and incumbrances created either by the landlord or the tenant, or their respective predecessors in title, and whether before or after the making of the advance, with the exception of quitrent and other charges incident to the tenure, rentcharges in lieu of tithes, and any charges created under any Acts authorising advance of public money, or under any Act creating charges in respect of improvements on lands and passed before this Act, and with the exception also (in cases where lands are subject to a fee-farm rent or held under a lease reserving rent) of such fee-farm rent or rent reserved as aforesaid. Every such annuity payable to the Land Commission shall be payable in equal half-yearly payments on the first day of May and the first day of November in each year. The first half-yearly payment of any such annuity shall, where the advance is not made on one of the said gale days, be due and paid on the second of such gale days after the date of the advance, and together with such first half-yearly payment there shall be due and paid an additional sum for interest on the advance at the rate of three and one eighth per centum per annum from the date of the advance until the first gale day next after that date. A certificate purporting to be under the seal of the Land Commission, or the Commissioners of Public Works, as the case may be, shall be evidence that the amount of any annuity or arrears of annuity stated therein to be due under any of the said Acts in respect of any holding named therein, is due to the Land Commission or the Commissioners of Public Works, as the case may be, in respect of such holding.

Writ of possession.

21. When any holding is sold by or at the suit of the Land Commission, the Land Commission may, on the application of any purchaser, issue an order to the sheriff to put such purchaser in possession of the holding, or part thereof, purchased by him, and such order shall be executed by the sheriff in like manner as a writ for the delivery of possession.

Specific performance.

22. When either before or after the passing of this Act a sale of a holding has been agreed to be made by a landlord to a tenant, and an application for an advance to enable the tenant to buy the holding has been sanctioned by the Land Commission, either party to the agreement for sale may apply in a summary manner to the Land Commission to decree the specific performance of the agreement; and the Land Commission shall have all such jurisdiction and authority to decide upon such application and to make a decree for specific performance as are vested in the Chancery Division of the High Court of Justice in Ireland, for the like purposes, subject to the like appeal as in the case of other orders made by the Land Commission.

Amendments of 48 & 49 Vict. c. 73. ss. 10 and 13.

23. That paragraph of section ten of the Purchase of Land (Ireland) Act, 1885, which incorporates section seventy of the Landed Estates Court Act, shall be amended by the substitution of the words "Land Commission," for the words "Land Judges," occurring therein, and the power of appointing new trustees given by the thirteenth section of the Purchase of Land (Ireland) Act, 1885,

shall extend to all cases in which it may be necessary to appoint new trustees for the purposes of any sale under the Land Law (Ireland) Acts.

Reduction of interest on loans under 33 & 34 Vict. c. 46, ss. 44, 45; 35 & 36 Vict. c. 32, s. 1.

24. Whereas by section forty-four and section forty-five of the Landlord and Tenant (Ireland) Act, 1870, and by sub-section three of section one of the Landlord and Tenant (Ireland) Act, 1872, the Commissioners of Public Works in Ireland (in this Act referred to as the Commissioners of Works) were authorised to agree to advance to a tenant purchasing his holding a sum not exceeding two-thirds of the value of the holding, and such advance is to be repaid by a charge made by virtue of the said sections, or by a security from the tenant of an annuity of five pounds for every hundred pounds of such advance, payable to the Commissioners of Works for thirty-five years;

And whereas in calculating such annuity, interest was reckoned at the rate of three and one-half per centum per annum, and it is expedient to reduce the annual amount of the annuity by reducing the rate of interest and extending the term of the annuity: Be it therefore enacted as follows:—

(1.) As from the gale day next after the passing of this Act, any annuity charged on a holding under section forty-four or section forty-five of the Landlord and Tenant (Ireland) Act, 1870, or section one of the Landlord and Tenant (Ireland) Act, 1872, shall (save as herein-after mentioned) be reduced from five per centum to four per centum on the amount of the advance; and shall be payable for such term as the Commissioners of Works may by order declare to be necessary for the repayment, with interest at three and one-eighth per centum per annum, of so much of the advance as has not accrued due for payment on the said gale day, and the order shall, as soon as may be after the passing of this Act, be made and notified by post or otherwise, in manner directed by the said Commissioners, to the person appearing to them to be the person paying the annuity;

(2.) Provided that the said Commissioners may in any case in which they think the special circumstances justify so doing, grant such extension of the term as they think just, so that the term shall not in any case exceed forty-nine years from the date of the advance, and shall adjust the annuity and vary the order accordingly.

(3.) Where on the gale day next after the passing of this Act there are unpaid arrears of instalments of the annuity in excess of the instalment due on the said gale day, this section shall not apply to such annuity except upon such order of the Commissioners of Her Majesty's Treasury (in this Act referred to as "the Treasury") as herein-after mentioned.

(4.) Where the Treasury are satisfied upon the report of the Commissioners of Works that in the case of the purchaser of a holding whose instalments are so in arrear, the special circumstances are such that it is equitable to apply the provisions of this section to such purchaser, and to make such provision as herein-after mentioned for the arrears, the Treasury may, if they think fit, order that on payment within the time limited

by the order of a portion of the arrears, not being less than the amount of the instalments of the annuity for six months, if so much be due, the remainder of the arrears shall be repayable by such addition to the amount of the annuity for repaying the advance as will repay the said remainder with interest at the rate of three and one-eighth per centum per annum within the period at which the last-mentioned annuity will, by virtue of this Act or otherwise, terminate, and upon such order being made and portion of arrears paid this section shall apply, and the Commissioners of Works shall make an order accordingly, and by such order charge the holding with the addition to the annuity for the repayment of arrears, and such charge shall have the same priority as the charge on the holding of the annuity in arrear.

(5.) An order of the Commissioners of Works under this section shall be deemed, according as the case requires, to form part of the order under section forty-four or section forty-five of the recited Act, or of the security or deed charging the annuity.

Reduction of interest paid on mortgages held by the Irish Land Commission as successors of the Commissioners under 32 & 33 Vict. c. 42, and the Church Temporalities Commissioners.

25. Whereas in pursuance of section fifty-two of the Irish Church Act, 1869, the Commissioners acting under that Act credited the purchasers of land, or interests in land, with part of the purchase money on having security for payment of the same, and the sums so credited to purchasers, or many of them, are now mortgage debts due to the Irish Land Commission as the successors of the Commissioners acting under that Act, and are secured in some cases by a simple mortgage, and in other cases by an instalment mortgage providing for the payment of the principal sum with interest by instalments extending over a term of years (which instalments with the interest are in this section referred to as the instalments);

And whereas the rate of interest on such mortgages was calculated at not less than four per centum per annum, but has been in some cases reduced to three and one-eighth per centum per annum by an order of the Irish Land Commission, under section twenty-three of the Purchase of Land (Ireland) Act, 1885, and it is expedient to provide in other cases for the like reduction in manner provided by this section: Be it therefore enacted as follows:

(1.) As from the gale day next after the passing of this Act, or any later date specified in an order under this section, the annual amount payable to the Irish Land Commission in respect of any such instalment mortgage as above-mentioned shall, save as herein-after mentioned, be reduced by such amount as is necessary to reduce the rate of interest from four to three and one-eighth per centum per annum, and the term may be extended by the Irish Land Commission, so that it do not exceed forty-nine years from the date of the mortgage.

(2.) As from the gale day next after the passing of this Act, or any later date specified in the order herein-after mentioned, the annual amount payable to the Irish Land Commission in respect of any such simple mortgage as above mentioned, shall, save as herein-after mentioned, be at the rate for interest of three and one-eighth per centum, and for repayment of prin-

cipal of seven-eighths per centum on the amount of principal due under such mortgage on the said day, and such amount shall be payable by half-yearly payments on the days on which the interest in the said mortgage is payable, and for forty-nine years from the said day, and the mortgage shall then, except for the purpose of recovering arrears, determine.

(3.) An order of the Irish Land Commission fixing the annual amount and the term of years shall, as soon as may be after the passing of this Act, be made and notified by post, or otherwise in manner directed by the Irish Land Commission, to the person for the time being paying the interest on any simple, or the instalment on any instalment mortgage, or otherwise appearing to the Commission to be liable to pay the same:

(4.) Provided that the Irish Land Commission may in any case in which they think the special circumstances justify so doing, grant such variation of the term as they think just, and may vary the order accordingly, so that the term shall not in any case exceed forty-nine years from the date of the mortgage.

(5.) Where on the gale day next after the passing of this Act there are unpaid arrears in respect of interest under any simple mortgage, or instalments under an instalment mortgage, over and above half-yearly payments due on the said gale day, this section shall not apply to such mortgage except that if the Treasury on the report of the Land Commission are satisfied that it is equitable to apply this section to any such mortgage—

(a.) The Treasury may order that on payment within a period fixed by the order and notified in like manner as above provided of a portion of the said arrears, being not less than the amount of interest or instalments due for six months, if so much be due, the remainder of the arrears shall be repaid by such addition to the periodical instalments as will be sufficient to pay the said remainder with interest at the rate of three and one-eighth per centum per annum by the expiration of the period at which the mortgage, by virtue of this Act or otherwise, will cease; and

(b.) Upon such order being made and portion of arrears paid, this section shall apply, and the Irish Land Commission shall make an order under this section with reference to such mortgage as if all arrears of interest and instalments required to be paid before the making of the order were paid, and such order shall also provide for such additions to the mortgage as above mentioned.

(6.) Any order of the Irish Land Commission under this section, also any order purporting to be made by such Commission in pursuance of section twenty-three of the Purchase of Land (Ireland) Act, 1885, whether before or after the passing of this Act, shall have effect as if the mortgage referred to in the order were modified in the manner provided by the order, and if the order provides for an addition to the debt in pursuance of this section as if the mortgage included that addition, and an addition so made shall have the same priority as the debt created by the mortgage, and any such order shall be binding

on all persons interested in the equity of redemption of such mortgage.

(7.) Nothing in this section shall apply to a mortgage as to which an order has been made under section twenty-three of the Purchase of Land (Ireland) Act, 1885, before the passing of this Act.

(8.) Nothing in this section shall apply to the purchasers of perpetuity rents.

Release of forfeiture incurred by purchaser to whom money advanced. 33 & 34 Vict. c. 46, ss. 44, 45.

26. Whenever a holding has, either before or after the passing of this Act, become forfeited to the Commissioners of Works, under section forty-four or forty-five of the Landlord and Tenant (Ireland) Act, 1870, and a legal proceeding in respect of such forfeiture has either not been taken by the said Commissioners, or if taken, has been abandoned, they may, with the consent of the Treasury, if it seem fit, after notice to all persons appearing to the Commissioners of Works to be concerned, order that the holding shall be released from the forfeiture as from the date at which it accrued, and shall vest in the person named in the order discharged from all claims on account of the alienation, subletting, or other act, on account of which the forfeiture was incurred.

Such order shall have full effect and be binding on all persons interested in the holding; and the holding, after the date thereof, shall cease to be subject to the conditions imposed by the sections above in this section mentioned, and shall be subject to the conditions imposed by section thirty of the Landlord and Tenant (Ireland) Act, 1881, and that section shall apply with the substitution of the Commissioners of Works for the Land Commission.

Reduction of interest on loans under 44 & 45 Vict. c. 49.

27. Whereas under the Landlord and Tenant (Ireland) Act, 1870, and the Landlord and Tenant (Ireland) Act, 1872, as amended by section thirty-five of the Land Law (Ireland) Act, 1881, and under section twenty-four and under section twenty-six of the Land Law (Ireland) Act, 1881, the Irish Land Commission were authorised to advance to a tenant purchasing his holding a sum not exceeding such proportion of the purchase-money as is therein mentioned, and such advance is to be repaid by a charge made by virtue of the said sections, or by a security from the tenant of an annuity of five pounds for every hundred pounds of such advance, payable to the Irish Land Commission for thirty-five years;

And whereas, in calculating such annuity, interest was reckoned at the rate of three and one-half per centum per annum, and it is expedient to reduce the annual amount of the annuity by reducing the rate of interest and extending the term of the annuity, be it therefore enacted as follows:

(1.) As from the first gale day next after the passing of this Act any annuity charged on a holding for the repayment of an advance made in pursuance of section thirty-five of the Land Law (Ireland) Act, 1881, or the Acts in that section mentioned or made in pursuance of section twenty-four or section twenty-six of the Land Law (Ireland) Act, 1881, shall (save as herein-after mentioned) be reduced from five per centum to four per centum on the amount of the advance; and shall be payable for such term as the Irish Land Com-

mission may by order declare to be necessary for the repayment, with interest at three and one-eighth per centum per annum, of so much of the advance as has not accrued due for payment on the said gale day; and the order shall, as soon as may be after the passing of this Act, be made and notified, by post or otherwise, in manner directed by the said Commissioners to the person appearing to them to be the person paying the annuity:

(2.) Provided that the said Commission may, in any case in which they think the special circumstances justify so doing, grant such extension of the term as they think just, so that the term shall not in any case exceed forty-nine years from the date of the advance, and shall adjust the annuity and vary the order accordingly.

(3.) Where on the gale day next after the passing of this Act there are unpaid arrears of instalments of the annuity in excess of the instalment due on the said gale day, this section shall not apply to such annuity except upon such order of the Treasury as herein-after mentioned.

(4.) Where the Treasury are satisfied upon the report of the Irish Land Commission that in the case of the purchaser of a holding whose instalments are so in arrear the special circumstances are such that it is equitable to apply the provisions of this section to such purchaser, and to make such provision as herein-after mentioned for the arrears, the Treasury may, if they think fit, order that on payment, within the time limited by the order, of a portion of the arrears, not being less than the amount of the instalments of the annuity for six months if so much be due, the remainder of the arrears shall be repayable by such addition to the amount of the annuity for repaying the advance as will repay the said remainder with interest at the rate of three and one-eighth per centum per annum within the period at which the last-mentioned annuity will by virtue of this Act or otherwise terminate; and upon such order being made, and portion of arrears being paid, this section shall apply, and the Irish Land Commission shall make an order accordingly, and by such order charge the holding with the addition to the annuity for the repayment of arrears, and such charge shall have the same priority as the charge on the holding of the annuity in arrear.

(5.) An order of the Irish Land Commission under this section shall be deemed, according as the case requires, to form part of the order under the sections of the recited Acts, or of the security or deed charging the annuity.

Certificate of sums due.

28. Where any sum is due to the Irish Land Commission or to the Commissioners of Public Works in respect of any advance made to, or purchase money due from, the purchaser of any land or interest in land, and is unpaid for the space of not less than six months after the same has become due, the Irish Land Commission or Commissioners of Public Works, as the case may be, may give a certificate of the amount so due, and such certificate shall be evidence in the same manner as a certificate under section forty-nine of the Landlord and Tenant (Ireland) Act, 1870.

PART III.

Equitable Provisions.

Temporary adjustment of judicial rents.

29. The following enactments shall take effect with respect to judicial rents fixed before the first day of January, one thousand eight hundred and eighty-six:—

As soon as possible after the passing of this Act, the Land Commission, having regard to the difference in prices affecting agriculture in counties, poor law unions, or other areas, between the year one thousand eight hundred and eighty-seven, and each of the years one thousand eight hundred and eighty-one, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand eight hundred and eighty-four, and one thousand eight hundred and eighty-five, shall without application determine with reference to such counties, unions, or other areas what alteration, if any, ought equitably to be made in the judicial rents to become payable in such counties, unions, or areas, in respect of the year commencing from the gale day next before the passing of this Act, according as such judicial rents were fixed in one or other of the years before the first day of January, one thousand eight hundred and eighty-six, respectively, so that the rent fixed under the provisions of this section shall differ by the difference in prices as aforesaid in the respective years, and the judicial rents payable in respect of the year aforesaid in such counties, unions, or areas shall be varied to the extent so determined by the Land Commission.

In the year one thousand eight hundred and eighty-eight, and in one thousand eight hundred and eighty-nine, the Land Commission shall, in like manner, determine what alteration, if any, ought equitably to be made in the judicial rents payable for the year commencing from the first gale day in each of the said years respectively, and such rents shall be varied to the extent determined by the Land Commission.

The Land Commission shall proceed by counties, poor law unions, or other areas as they think fit, in reference to such alterations of judicial rents, and may cause to be made such inspections and reports as may be necessary, and may ascertain averages, and may proceed in all other respects in such manner as may appear to them to be necessary for carrying out the objects aforesaid.

The Land Commission shall publish the orders made by them under this section in such manner for giving information to all persons interested as they think most convenient.

A copy of every order made by the Land Commission under this section shall be published in the "Dublin Gazette."

The production of a printed copy of the "Dublin Gazette," purporting to be published by the Queen's authority, and containing the publication of any order of the Land Commission under this section, shall be evidence of the contents of such order, and of the date thereof, and that it has been duly made.

Power of court to stay eviction.

30.—(1.) In any proceedings for the recovery of a holding to which this section applies, for nonpayment of rent, or in any action for debt or damages by any person against the tenant of such holding if the court in which the proceedings are pending is satisfied that the tenant of the holding is unable to satisfy by an

immediate payment in full the judgment and costs, and that such inability does not arise from his own conduct, act, or default, and there is reasonable ground for granting an extension of time to pay, the court may put a stay upon the execution of the judgment of the court in such ejectment, or, in case of an ordinary judgment, may put a stay upon the execution of a writ of fieri facias as against the tenant's interest in the holding for such time as the court thinks reasonable, and the court may, in any such ejectment, if it thinks fit, order that the arrears of rent and the costs, or such sum in satisfaction thereof as may be agreed on between the parties, shall be paid by such instalments as the court may appoint: Provided that where the landlord has offered to accept in full satisfaction of the arrears of rent such lesser sum, payable either in one payment or by instalments as the court shall think reasonable, and the tenant refuses such offer, no stay of execution shall be granted under this section.

(2.) If the court is of opinion that the tenant can pay the first of such instalments forthwith, the court shall so order. If default is made in complying with the order of the court for the payment of the first or any subsequent instalment, the stay upon the execution of the judgment in ejectment shall be removed, and it may thereupon be executed by a writ of possession in the prescribed form; and upon the execution thereof, or upon the expiration of a period of six months from the recovery of the judgment, whichever shall last happen, all right of redemption in the holding shall be determined.

(3.) This section shall apply to every holding in respect of which a judicial rent has been fixed, or can be fixed under the Land Law (Ireland) Act, 1881, as amended by this Act, held by a tenant whose holding, or the aggregate of whose holdings, whether under one or more landlords, is valued under the Acts relating to the valuation of rateable property in Ireland at not more than fifty pounds a year.

(4.) This section shall apply to judgments in ejectment for nonpayment of rent, or for debt or damages recovered but not executed before the passing of this Act against the tenant of such holding as aforesaid.

Where any such judgment for nonpayment of rent so recovered shall be executed against any such tenant as aforesaid, the court may, notwithstanding such execution, within three months after the passing of this Act, and under like conditions, and subject to like terms as to instalments and otherwise, as if the judgment had not been executed, make an order setting aside such execution, staying the further execution of such judgment, and, if necessary, restoring the tenant to the possession of the holding.

In case of any judgment for debt or damages so recovered against such tenant, the same shall not be executed against the tenant's interest in his holding, without the leave of the court, within the like period.

Appeals.

31. Save as by this Act is otherwise expressly provided, every decree, order, and decision of a county court judge exercising jurisdiction under this Act, shall be subject to the like appeal as if the same were a decree pronounced by a county court judge

in exercising ordinary civil bill jurisdiction under the Civil Bill Courts (Ireland) Act, 1851. 14 & 15 Vict. c. 57.

32. For aiding the county court judges in performing the duties imposed on them by the Act of 1881 and this Act, the Land Commission may from time to time, but subject to the approval of the Lord Lieutenant, nominate independent valuers, to some one of whom each county court judge may, whenever necessary, refer any question for report. Court valuers in county courts.

Such valuers shall be paid such remuneration as the Treasury may determine.

PART IV.

Miscellaneous.

33.—(1.) In the case of the High Court the powers of making rules and orders, and of prescribing forms, and of regulating the mode of proving the service, and of proving the date of service of notices under this Act, and of determining the persons upon whom notices under this Act are to be served, and for prescribing anything by this Act authorised to be prescribed, shall be from time to time exercised by the authority and in the manner prescribed by the sixty-first section of the Supreme Court of Judicature Act (Ireland), 1877, and in that section, for the purposes of rules under this Act, the Lord Chancellor and the other judges therein referred to, or any four of them with the Lord Chancellor, shall be substituted for the judges therein referred to. Rules, orders, &c., fees, costs, and charges. 40 & 41 Vict. c. 57.

In the case of the Land Commission, rules may be made in the manner provided by the Land Law (Ireland) Act, 1881.

In the case of the county court, the above-mentioned powers shall from time to time be exercised by the authority and in the manner prescribed by section seventy-nine of the County Officers and Courts (Ireland) Act, 1877. 40 & 41 Vict. c. 56.

(2.) On the passing of this Act, the authority mentioned in the eighty-fourth section of the County Officers and Courts (Ireland) Act, 1877, shall amend the existing scale of fees, costs, and charges to be paid to counsel and solicitors in ejectments for nonpayment of rent in the Civil Bill Courts, so that the total fees, costs, and charges in any such ejectment as between party and party shall, so far as may be practicable and reasonable, not exceed the total fees, costs, and charges between party and party according to the scale for the time being in force of such fees, costs, and charges in ordinary civil bills, as if such ejectment were an ordinary civil bill and the annual rent of the holding for which such ejectment is brought was the amount sued for or recovered respectively in such ordinary civil bill. Such amended scale of fees, costs, and charges may be subsequently amended from time to time by the same authority if in practice it is found to be insufficient.

34. In this Act, unless the context otherwise requires— Definitions.

The expression "ejectment" means any action for the recovery of the possession of land in the High Court of Justice or in the Civil Bill Court:

The expression "judgment" as respects ejectment means decree of a civil bill court or a judgment of the High Court:

The expression "writ of possession" includes a decree for possession:

The expression "incumbrance" means any legal or equitable mortgage in fee, or for any less estate, and also any money secured by a trust, and also any legacy, portion, lien, or other charge, whereby a gross sum of money is secured to be paid on an event or at a time certain, and also any annual or periodical charge which, by the instrument creating the same, or any other instrument, is made purchaseable on payment of a gross sum of money, and every other charge on land which is deemed an incumbrance in a court of equity, and which a court would discharge by a sale of the land charged, or by the appointment of a receiver over the same:

The word "landlord" shall, for the purposes of sales to tenants under the Land Law (Ireland) Acts, include any person entitled to an estate as a trustee for sale, and any limited owner, as defined by section thirty-three of the Landlord and Tenant (Ireland) Act, 1870:

33 & 34 Vict. c. 46.

The expression "tithe rentcharge" includes any annual sum payable to the Land Commission under the thirty-second section of the Irish Church Act, 1869, as amended by any Act or Acts:

32 & 33 Vict. c. 42.

The expression "land improvement charge" includes any charge for land improvement loans payable to the Commissioners of Public Works in Ireland under the Act of the session of the tenth and eleventh years of the reign of Her present Majesty, chapter thirty-two, intituled "An Act to facilitate the Improvement of Landed Property in Ireland," and the Acts amending the same:

10 & 11 Vict. c. 32.

The expression "drainage charge" includes any charge for drainage loans payable to the said Commissioners under the same Act and Acts amending it, or under the Act of the session of the fifth and sixth years of the reign of Her present Majesty, chapter eighty-nine, or any subsequent Act; and also any charge payable to the Drainage Board of a Drainage District under the Drainage and Improvement of Land Act (Ireland), 1863, and the Acts amending the same:

5 & 6 Vict. c. 89.

26 & 27 Vict. c. 88.

Save in Part Two of this Act, the expression "holding" does not include any holding which is not agricultural or pastoral or partly agricultural and partly pastoral in its character:

The expression "prescribed", when used with reference to proceedings before the Land Commission, means prescribed by rules made under the Land Law (Ireland) Act, 1881; when used with reference to other proceedings, means prescribed by rules made under the Supreme Court of Judicature Act (Ireland), 1877 as amended by this or any other Act, or under the County Officers and Courts (Ireland) Act, 1877, as the case may be:

44 & 45 Vict. c. 49.

40 & 41 Vict. c. 57.

The definitions contained or incorporated in the Land Law (Ireland) Act, 1881, and the County Officers and Courts (Ireland) Act, 1877, shall apply to this Act:

40 & 41 Vict. c. 56.

The expression "The Land Law (Ireland) Acts" includes the Landlord and Tenant (Ireland) Act, 1870, the Land Law (Ireland) Act, 1881, Part II. of the Tramways and Public Companies (Ireland) Act, 1883, the Purchase of Land (Ireland) Act, 1885, and any Act amending them. 33 & 34 Vict. c. 46. 44 & 45 Vict. c. 49. 46 & 47 Vict. c. 43. 48 & 49 Vict. c. 73.

35. This Act may be cited for all purposes as the Land Law (Ireland) Act, 1887. Short title.

SCHEDULE. Section 7.

Form of Notice to be served after Judgment in Ejectment for Nonpayment of Rent.

In the High Court of Justice in Ireland, Division [*or* in the Civil Bill Court of the County of].

Between *A.B.* - - - - Plaintiff,

and

C.D. and *E.F.* - - Defendants.

To *C.D.* and *E.F.*, &c.

Take notice, that a judgment [*or* decree] for the recovery of the lands of for nonpayment of rent has been recovered by the above-named *A.B.*

And that any person entitled by law to redeem the said lands must do so within a period of six months from the service [*or* posting] of this notice, and that any person being a tenant or having a specific interest in the tenancy, and desiring to redeem, must pay to *A.B.* [landlord's name], at , or *G.H.* [agent's name] at , or lodge in the Division of the High Court [*or* with the clerk of the peace], the rent, arrears, and costs within the said period of six months. The particulars of the rent and costs are as follows:—[set them out as in the judgment or decree.]

On the service [*or* posting] of this notice, the persons to whom it is addressed, being in possession of any part of the lands, are deemed to be in possession as caretakers, and the service of this notice operates in the same manner as if the judgment [*or* decree] in ejectment had been executed against them, and as if having been removed from possession, they had been reinstated as caretakers.

Signed by *G.H.* for *A.B.*

Dated, &c.

CHAPTER 34.

An Act for the transfer to the Metropolitan Board of Works and the maintenance of certain Public Parks and Works in the Metropolis. [23rd August 1887.]

WHEREAS the parks, garden, bridge, and embankment hereinafter mentioned have hitherto been maintained at the cost of the Exchequer, and it is expedient that they should be maintained out of local rates:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the London Parks and Works Act, 1887.

Transfer of certain London parks and works.

2.—(1.) From and after the date of transfer the management and control of the parks, garden, embankment, and bridge herein-after mentioned, and in this Act referred to as the parks and works; that is to say,

Victoria Park,
Battersea Park,
Kennington Park,
Bethnal Green Museum Garden,
and
Chelsea Embankment,

as the same are particularly delineated and specified on certain plans signed in duplicate by the Right Honourable David Plunket, the Chairman of the Committee of the House of Commons, to whom the Bill for this Act was referred (one copy of the said plans being deposited at the Private Bill Office of the House of Commons, and one copy at the office of the Metropolitan Board of Works), and Westminster Bridge, with the foundations, structure, and materials thereof and thereon, and the approaches thereto on either side, so far as such approaches are coloured on a plan signed and deposited as aforesaid, shall be transferred from the Commissioners of Her Majesty's Works and Public Buildings (in this Act referred to as the "Commissioners of Works") to the Metropolitan Board of Works (in this Act referred to as the "Board"), and the Board shall have and may exercise the same rights, powers, and control over any licensees or contractors as the said Commissioners have and may exercise at the date of transfer, and the parks and works shall as from such date vest in the Board without any conveyance, assignment, or transfer for the same estate and interest and (save as by this Act otherwise expressly provided) subject to and with the benefit of the same covenants, agreements, limitations, and rights for and subject to which the same were vested in the said Commissioners and the Science and Art Department respectively immediately prior to the date of transfer, but freed and discharged from all mortgages, debts, and incumbrances; and the parks and works shall for ever thereafter be kept open and managed, maintained, and repaired by the Board for the use of the public, with the same liability and to the same extent as the same are at the date of transfer kept open and managed, maintained, and repaired by the Commissioners of Works: Provided always, that nothing in this section shall be deemed to affect the estate, rights, and privileges of Her Majesty in right of Her Crown in Victoria Park.

(2.) The cost of keeping open, managing, maintaining, and repairing the parks and works shall be paid by the Board out of the consolidated rate, and no part of the metropolis shall be entitled to any exemption from such part of the consolidated rate as is required for the purpose of defraying such cost, and the Board may defray expenses incurred by them with respect to

permanent improvements or alterations in the parks and works, and not by this Act otherwise expressly provided for, in like manner as if such expenses were expenses incurred by the Board in carrying into execution the purposes of the Metropolis Management Act, 1855, and the Acts amending the same.

Byelaws. 40 & 41 Vict. c. viii.

3.—(1.) All the provisions of the Metropolitan Board of Works Act, 1877, with regard to the making, alteration, revocation, contents, confirmation, approval, allowance, publication, and evidence of byelaws relating to parks, heaths, and commons, and to securing the observance of such byelaws, and to penalties and proceedings before justices, and the recovery and application of penalties in relation thereto, shall extend and apply to the parks, garden, and embankment the management and control of which are transferred to the Board under this Act.

45 & 46 Vict. c. lvi.

(2.) All the provisions of section forty-one of the Metropolitan Board of Works (Various Powers) Act, 1882, with regard to the making, alteration, revocation, contents, confirmation, publication, and evidence of byelaws relating to bridges and embankments, and to securing the observance of such byelaws, and to penalties and proceedings before justices, and the recovery and application of penalties in relation thereto, shall extend and apply to the embankment and bridge the management and control of which are transferred to the Board under this Act. The general byelaws made under the Act of 1877 for the regulation of parks, gardens, and open spaces, and approved by the Home Secretary on the seventh day of May one thousand eight hundred and seventy-nine, and the byelaws made under the Act of 1882 for the management and regulation of bridges and embankments, and confirmed by the Home Secretary on the twenty-eighth day of November one thousand eight hundred and eighty-four, shall, unless and until and except in so far as they may be altered or limited by byelaws made under either of the said Acts as amended by this Act, apply to the parks, garden, and embankment, and to the embankment and bridge respectively, the management and control of which are transferred to the Board under this Act. Provided that no byelaws made under either of the said Acts as amended by this Act shall come into force in respect of or affect any of the parks and works until the date of transfer.

Cesser of obligations of Commissioners of Works.

4. From and after the date of transfer all obligations, duties, and liabilities of the Commissioners of Works in respect of the management, control, maintenance, or repair of the parks and works, or any of them, shall absolutely cease and determine, and all laws, provisions, byelaws, rules, and regulations in force at the date of transfer, or thereafter to be in force, with respect to royal parks or to any royal parks, gardens, or possessions the management of which is for the time being vested in the Commissioners of Works, shall cease to extend or apply to the parks and works, and the powers of the Commissioners to make any such byelaws, rules, or regulations in relation to the parks and works shall absolutely cease and determine. Provided that nothing in this Act shall affect any fine, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed or to be committed

against any such law, provision, byelaw, rule, or regulation, nor the institution or continuance of any proceeding or other remedy for enforcing or recovering any such fine, forfeiture, or punishment as aforesaid.

Amendment of 35 & 36 Vict. c. 53.

5. From and after the date of transfer section one of an Act passed in the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, intituled, "An Act to confirm an agreement for the purchase by the Metro- "politan Board of Works of certain land adjoining Victoria Park "and for the appropriation of such land as part of the same park" shall be read and construed as though the words "and the Metro- "politan Board of Works shall not be liable to the payment of "any taxes, tithe rentcharges, or other outgoings for the same," had been omitted therefrom.

Transfer of officers.

6. Every person holding any office (whether as park keeper, gardener, superintendent, or otherwise) under the Commissioners of Works in connexion with the parks and works transferred by this Act to the Board, shall, if so required by the Commissioners of Works, become an officer of the Board, and shall continue to hold his office by the present tenure and be bound to perform his present duties and shall be entitled while holding such office and performing such duties to receive not less salary or remuneration than at present, and if he has at the passing of this Act, or would have if he continued to serve under the Commissioners of Works a right to a pension, he shall be entitled on his retirement to not less pension than if he had continued to serve the Commissioners of Works, and for the purpose of such pension may reckon his service under the Commissioners of Works and also his service under the Board, and every such pension shall, in the first instance, be paid by the Board: Provided that there shall be repaid to the Board, out of moneys to be provided by Parliament, so much of such pension as is payable in respect of the person's service before the date of his transfer under this Act, regard being had to the amount of salary then paid, but without taking into account any number of years added to his service on account of abolition of office.

The Board may nevertheless from time to time distribute among the said officers and any other officers appointed by them the duties to be performed by them, and deal with the said officers in such manner by way of remuneration, supersession, and variation of duties as they think expedient for the public interest and just to such officers, so however that an officer transferred shall not be required without his consent to perform duties which are not the same as or analogous to his duties at the passing of this Act.

Date of transfer.

7. The date of transfer of the parks and works transferred by this Act shall be the first day of November one thousand eight hundred and eighty-seven.

CHAPTER 35.

An Act to simplify and amend the Criminal Law of Scotland and its Procedure and to alter the Constitution of the Justiciary and Sheriff Courts in Scotland.

[16th September 1887.]

WHEREAS it is expedient that the procedure in the criminal courts in Scotland should be simplified and amended and the constitution thereof altered:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation.

1. In this Act the following words and expressions are used in the following senses, unless the context shows that a different sense is intended:

Every expression which refers to Her Majesty the Queen is intended to refer to Her Majesty and Her heirs and successors.

"Lord Commissioner of Justiciary" shall include Lord Justice General and Lord Justice Clerk.

"High Court of Justiciary" shall include any Court held by the Lords Commissioners of Justiciary, or any of them.

"Clerk of Justiciary" shall include Assistant Clerk of Justiciary, and shall extend and apply to any person duly authorised to execute the duties of Principal Clerk of Justiciary, or Assistant Clerk of Justiciary.

"Sheriff" shall include Sheriff Substitute.

"Sheriff Clerk" shall include Sheriff Clerk Depute, and shall extend and apply to any person duly authorised to execute the duties of Sheriff Clerk.

"Officer of police" shall include chief constable, deputy chief constable, constable, and criminal officer.

"Procurator Fiscal" shall mean Sheriff's Procurator Fiscal, and shall include the Procurator Fiscal of the county of the city of Edinburgh, and of the city and burgh of Aberdeen, and shall include Depute Procurator Fiscal, and shall extend and apply to any person duly authorised to execute the duties of such Procurator Fiscal.

"County" shall extend to the limits within which the sheriff has jurisdiction in criminal matters whether by statute or at common law.

"District" shall mean any part of a county in which a separate court is held, and for which a separate procurator fiscal is appointed, and shall include any county or combination of counties for which one sheriff court and one procurator fiscal are appointed

"Crime" shall include high crime and offence, felony, crime and offence, offence and misdemeanor, and shall include attempt.

"Indictment" shall include any indictment whether in the Sheriff Court or the High Court of Justiciary framed according to the existing practice, or according to the form given in Schedule A. to this Act annexed.

"Extract conviction" or "extract of previous conviction" shall include certified copy conviction, certificate of conviction, and any other document under the hand of the proper officer in use to be issued from any Court of Justice of the United Kingdom as evidence of a conviction.

Indictment forms.

2. All prosecutions for the public interest before the High Court of Justiciary and before the Sheriff Court where the sheriff is sitting with a jury, shall proceed on indictment in name of Her Majesty's Advocate, and in all cases in which by the existing law and practice such prosecutions proceed on criminal letters, indictment shall be used instead thereof, and such indictment may be in accordance with the forms contained in Schedule A. appended to this Act, or as nearly conform thereto as the circumstances permit, and shall be signed by Her Majesty's Advocate or one of his deputes, or by a Procurator Fiscal, and the words "By Authority of Her Majesty's Advocate" shall be prefixed to the signature of such Procurator Fiscal.

Procedure on resignation, death, or removal of Lord Advocate.

3. The Lord Advocate and his Deputes shall not demit office on the resignation of the Lord Advocate, but shall continue in office until their successors respectively receive their appointments, and the Lord Advocate shall enter upon the duties of his office immediately on receiving his appointment, and may take the oaths of office before any Secretary of State or any Lord Commissioner of Justiciary; and all indictments which have been raised by any Lord Advocate shall continue in force and effect notwithstanding such resignation, and may be taken up and proceeded with by his successor; and where any Lord Advocate shall die during his tenure of office, or otherwise be removed from office, it shall be lawful to indict persons accused in name of the Solicitor General then in office, until another Lord Advocate is appointed, and the Advocates Depute and Procurators Fiscal shall have power, notwithstanding such death or removal from office of the Lord Advocate, to take up and proceed with any indictments already raised in name of such Lord Advocate, and any indictments that may be raised in name of such Solicitor General.

INDICTMENTS. Naming of accused.

4. A person accused may be named and designed in an indictment according to the existing practice, or he may be named by the name given by him and designed as of the place given by him as his residence when he is examined on declaration, and it shall not be necessary to set forth any other name or names by which he may be known, or any other address or designation.

Nomen juris unnecessary.

5. It shall not be necessary in any indictment to specify by any *nomen juris* the crime which is charged, but it shall be sufficient that the indictment sets forth facts relevant and sufficient to constitute an indictable crime.

Case of two or more persons charged.

6. When in any indictment two or more persons are charged together with committing a crime, it shall not be necessary to

allege that "both and each or one or other," or that "all and each or one or more" of them committed the crime, or did or failed to do any particular act, but such alternatives shall be implied in all such indictments.

"Guilty, actor or art and part," unnecessary.

7. It shall not be necessary to state that a person accused is "guilty, actor or art and part," in any indictment according to the existing practice, but such charge shall be implied in all indictments.

Qualifying words to be implied.

8. It shall not be necessary in any indictment to allege that any act of commission or omission therein charged was done or omitted to be done "wilfully" or "maliciously," or "wickedly and feloniously," or "falsely and fraudulently," or "knowingly," or "culpably and recklessly," or "negligently," or in "breach of duty," or to use such words as "knowing the same to be forged," or "having good reason to know," or "well knowing the same to have been stolen," or to use any similar words or expressions qualifying any act charged, but such qualifying allegation shall be implied in every case in which according to the existing law and practice its insertion would be necessary in order to make the indictment relevant.

Quotation of statutes unnecessary.

9. It shall not be necessary in an indictment for a crime punishable under any Act of Parliament to quote the Act of Parliament or any part of it, but it shall be sufficient to allege that the crime was committed contrary to such Act of Parliament, and to refer to the Act and any section of the Act founded on without setting forth the enactment in words at length.

Latitude as to time and place.

10. The latitude now in use to be taken in stating time in indictments at the instance of Her Majesty's Advocate shall be implied in all statements of time where an exact time is not of the essence of the charge, and the latitude now in use to be taken in stating any place in such indictments by adding to the word "at," or to the word "in," the words "or near," or the words "or in the near neighbourhood thereof," or similar words, shall be implied in all statements of place where the actual place is not of the essence of the charge, and where the circumstances of the offence charged make it necessary to take an exceptional latitude in regard to time or place it shall not be necessary to set forth such circumstances in the indictment, or to set forth that the particular time or the particular place is to the prosecutor unknown; provided always that where exceptional latitude is taken, the court shall, if satisfied that such exceptional latitude was not reasonable in the circumstances of the case, give such remedy to the person accused by adjournment of the trial or otherwise as shall seem just.

Latitude as to quantities, persons, things, or modes.

11. The latitude in use to be taken in indictments in describing quantities by the words "or thereby," or the words "or part thereof" or the words "or some other quantity to the prosecutor unknown," or similar words, shall be implied in all statements of quantities, and the latitude in use to be taken in stating details connected with the perpetration of any act regarding persons, things, or modes by inserting general alternative statements followed by the words, "to

the prosecutor unknown," or similar words, shall be implied in all cases where such statements are in use to be made according to the existing practice.

Description of buildings, goods, money, or other property.

12. Where in an indictment, whether raised on Act of Parliament or at common law, buildings, goods, money, or property of any other description are mentioned, it shall not be necessary to allege the property or possession thereof, to be in any person, official, corporation, or company, or that the same were not the property of the accused, and the allegation that the same were not the property of the accused shall be implied in all cases where it is essential to the criminality of the charge.

Description of persons, goods, &c.

13. Where in an indictment or any list or inventory relative thereto any person is referred to, it shall be sufficient to describe him by his name and ordinary address, and it shall not be necessary to describe him as "now or lately" residing at such address, but such words shall be implied, and where goods, articles, or things require to be described, it shall be sufficient to describe them in general terms without specifying the materials of which they are made, or any particulars which distinguish them from other goods, articles, or things of a similar kind except in cases in which such particulars are essential to the constitution of the crime charged.

"Money" to include coin, bank notes, and post office orders.

14. The word money when used in an indictment shall include all current coin of the realm, post office orders and postal orders, and bank or banker's notes, and it shall not be necessary to specify in any statement in an indictment relating to a sum of money whether such sum consisted of gold, silver, or other coin, post office orders or postal orders, or bank or banker's notes, or any of them, but it shall be sufficient to state the sum as consisting of money.

Setting forth documents unnecessary.

15. Where in an indictment any document requires to be referred to, it shall not be necessary to set forth the document or any part of it in such indictment, but it shall be sufficient to refer to such document by a general description and where it is to be produced by the number given to it in the list of productions for the prosecution.

Petitions for warrants.

16. Petitions for warrant to arrest and commit persons suspected of or charged with crime may set forth the charge in accordance with the forms in Schedule A. to this Act annexed, or as nearly conform thereto as the circumstances permit, and the provisions set forth in sections four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, and fifteen of this Act shall apply to such petitions.

Prisoners before examination to have access to law agent.

17. Where any person has been arrested on any criminal charge, such person shall be entitled immediately upon such arrest to have intimation sent to any properly qualified law agent that his professional assistance is required by such person, and informing him of the place to which such person is to be taken for examination; and such law agent shall be entitled to have a private interview with the person accused before he is examined on declaration, and to be present at such examination, which shall be conducted according to the existing practice: Provided always, that it shall be in

the power of the sheriff or magistrate to delay such examination for a period not exceeding forty-eight hours from and after the time of such person's arrest, in order to allow time for the attendance of such law agent.

Bail competent before committal.

18. Any person accused of a crime which is by law bailable shall be entitled immediately after he has been brought before a magistrate for examination on declaration to apply to such magistrate or to the sheriff for liberation on his finding caution in common form to appear at any diet to which he may be cited for further examination, or in order to answer any indictment or complaint which may be served upon him: Provided always, that the prosecutor shall be entitled to be heard against any such application, and that the sheriff or other magistrate shall be entitled in his discretion to refuse such application before the person accused is committed until liberated in due course of law: Provided also, that where any accused person is admitted to bail without being committed until liberated in due course of law, it shall not be necessary so to commit him, and it shall be lawful to serve him with an indictment or complaint without his having been previously so committed.

Declarations, convictions, &c. not averred.

19. It shall not be necessary to set forth in an indictment the fact that the accused person emitted a declaration, nor to set forth any previous conviction or productions that are to be used against him, but it shall be sufficient that they be entered in the list of productions to be used at the trial, every such conviction being therein described as a conviction applying to the person accused against whom it is to be used.

"All which or part" implied.

20. The customary conclusion of indictments as now in use, commencing with the words "All which or part thereof," shall be implied in all indictments though not set forth.

Indictments, &c. written or printed or partly so.

21. The principal record and service copies of indictments and all notices of citation, lists of witnesses productions and jurors, and all other official documents required in criminal prosecutions, may be either written or printed, or partly written and partly printed, and any deletion or correction made before service on such principal record or service copy shall be sufficiently authenticated by the initials of any person who has signed, or could by law have signed the same, and any deletion or correction made on a service copy of an indictment, or on any notice of citation, postponement, adjournment, or other notice required to be served on a person accused or on any execution of citation or notice or other document requiring to be served shall be sufficiently authenticated by the initials of the person serving the same.

Procedure in case of crime in different counties.

22. Where a crime has been committed partly in one county and partly in another county, or where one crime following on, and connected with another crime has been committed in a different county from that in which the first was committed, or where several crimes which, if committed in one county could now be tried under one indictment, are alleged to have been committed by any person in different counties in succession, a person accused may be lawfully indicted to a court to be held in such one of such counties as shall be determined by the Lord Advocate, whether for trial in the High

Court of Justiciary or in the Sheriff Court, and where any such case is tried in the Sheriff Court of any county the Procurator Fiscal of that county or of any one of the districts of such county as shall be determined by the Lord Advocate shall prosecute, and the sheriff of that county shall have power to try such case and to pronounce sentence on conviction, although the crime found proven may have been in whole or in part committed in a different county, and such sheriff and procurator fiscal shall have all the powers in regard to such case both before, at, and after the trial which they possess in relation to any case occurring within their own district.

Warrants for citation.

23. When any sitting of the Sheriff Court or of the High Court of Justiciary has been appointed to be held for the trial of persons accused on indictment, the sheriff clerk of the district in which the second diet is to be called where such trials are to take place in the Sheriff Court, or the Clerk of Justiciary where such trials are to take place in the High Court of Justiciary, shall issue a warrant to officers of the law to cite persons accused, witnesses, and jurors, conform to Schedule B. to this Act annexed, and the execution of the citation against such accused persons shall be conform to Schedule C. to this Act annexed, and the execution of the citation of witnesses shall be conform to Schedule D. to this Act annexed, and the execution of citation to jurors shall be conform to Schedule E. to this Act annexed, and such warrant authenticated by the signature of such clerk, or a duly certified copy thereof, shall be a sufficient warrant to all officers competent.

Service.

24. Service of indictment, list of witnesses and list of productions appended thereto, and all notices or intimations to persons accused, and all citations of witnesses, whether for precognition or trial, may be made or given by any macer, messenger at arms, sheriff officer, or officer of police at any place, and where any person accused is in prison at the time of service on him, such service shall be made by any governor, deputy governor, or warder of the prison in which such person is confined.

Two diets.

25. The notice to a person accused when served with an indictment to appear and answer thereto shall contain two diets of compearance in the form of Schedule F. to this Act annexed where the second diet is to be in the Sheriff Court, and in the form of Schedule G. to this Act annexed when the second diet is to be in the High Court of Justiciary, and such first diet shall

Notice for first diet.

be not less than six clear days after the service of the indictment and such second diet shall not be less than nine clear days after such first diet.

26. The notice for the first diet shall call on the person accused to appear in the Sheriff Court which is nearest to the prison in which such accused person is confined, whether such prison shall be within the jurisdiction of such Court or not, or if he has been liberated on bail in the Sheriff Court of the district in which his domicile for citation as set forth in any bail bond on which he is liberated is situated, or in any other case before any sheriff within whose jurisdiction the crime is alleged to have been committed in whole or in part, and where the person accused has absconded, the

indictment may be served at his last known residence, and all citations at the Cross of Edinburgh, and the Pier and Shore of Leith, or at the head burgh of any shire, are hereby declared to be unnecessary, and any enactments requiring the same are hereby repealed.

Record copy indictment and list of witnesses.

27. The record copy of the indictment and any extract convictions that are to be produced shall on or before the date of service of the indictment be lodged with the sheriff clerk of the district in which the Court of the first diet is situated, and a copy of the list of witnesses and a copy of the list of productions shall be lodged with the sheriff clerk of the district in which the Court of the second diet is situated, and where a person accused is indicted for fugitation, the lists shall be lodged in the Justiciary Office.

FIRST DIET—Sheriff Court case.

28. At such first diet the Procurator Fiscal of the district in which such first diet is called, shall act as representing Her Majesty's advocate, unless an Advocate Depute or the Procurator Fiscal of the district of the second diet shall appear to prosecute, and where the case is one the second diet of which is to be in the Sheriff Court, the sheriff shall proceed according to the existing law and practice, except in so far as varied by this Act, and where the sheriff presiding is not the sheriff of the court of the second diet, he shall have all the powers now exercised under the existing law and practice by a sheriff at a first diet, and where a person accused pleads guilty in whole or in part the sheriff shall have power to adjourn the case to another sitting of his court with a view to considering what sentence should be pronounced, whether the case be one the second diet of which is to be called in his own or another court; and where the second diet is fixed for a different court any interlocutor disposing of any preliminary plea, any plea tendered, any interlocutor adjourning the case, or any sentence pronounced shall be written on the record copy of the indictment, and where a plea is one of guilty to the indictment or any part thereof, the accused person shall be required to sign the same if he be able to write, and in any case the sheriff shall append his signature to the plea recorded, and where the person accused pleads guilty to only a part of the charge, or to a minor offence included in the charge, and the prosecutor does not accept such plea, or where on a plea of guilty to the whole charge the sheriff shall consider it expedient in the circumstances, whether on the representation of the person accused or otherwise, that the sentence to be pronounced should be determined by the sheriff of the district in which the second diet is to be called, he shall sign an interlocutor on said record copy in the form of Schedule H. to this Act annexed, and the sheriff clerk shall record any interlocutors signed, plea tendered, or sentence pronounced, in the books of court, or in a record to be kept for the purpose, and shall forthwith transmit said record copy indictment and extract convictions relative thereto to the sheriff clerk of the district of the Court of the second diet.

High Court case.

29. At such first diet where the case is one in which the second diet is to be in the High Court of Justiciary, the sheriff shall hear any objection of a preliminary nature, whether to the citation or relevancy or otherwise, and if he shall be of opinion upon any

objection made to discrepancy between the record copy of the indictment and the service copy, or to any error or deficiency in such service copy, or in the notice of citation, that such discrepancy, error, or deficiency could not mislead or prejudice the person accused, or if he shall be of opinion that any other preliminary objection made is frivolous, or if no preliminary objection be made, he shall call upon the accused person to plead guilty or not guilty, and shall endorse upon the record copy of the indictment a certificate of the plea tendered in the form of Schedule I. to this Act annexed, and if the plea be one of guilty to the indictment or any part thereof the accused person shall be required to sign the same if he is able to write, and in every case the sheriff shall append his signature to the plea recorded, and where any objection is taken to such discrepancy, error, or deficiency as aforesaid which the sheriff shall hold to be a discrepancy, error, or deficiency which tended substantially to mislead and prejudice the accused person, or where any other preliminary objection shall be held by him not to be frivolous, he shall endorse upon the record copy of the indictment a certificate in the form of Schedule K. to this Act annexed, and the sheriff clerk shall record any certificate so written on such record copy in the books of court or in a record to be kept for the purpose, and shall forthwith transmit the record copy of the indictment and extract convictions relative thereto to the Clerk of Justiciary.

Procurator of place of second diet may defend at both diets.

30. In all cases a procurator who is entitled to conduct proceedings in the courts of the district of the second diet, shall be entitled to appear at the first diet, and to conduct the defence, although he may not be entitled to conduct other law business in the locality of the first diet.

Procedure where accused desires to plead guilty.

31. Where a person accused shall give written notice to the Crown Agent through his own procurator that he desires to have his case at once disposed of, and declares his intention to plead guilty, it shall be lawful to serve such person with an indictment and a notice conform to Schedule L. to appear at a diet not less than four clear days after such notice before the sheriff before whom under this Act he would be cited to a first diet, and it shall not be necessary to lodge or give notice of any list of witnesses or productions, other than productions to prove previous convictions, and at such diet the sheriff, if any plea of guilty is tendered which shall be accepted by the Procurator Fiscal, shall deal with the case in like manner as cases are required to be dealt with under this Act where a person accused pleads guilty at a first diet: Provided always, that if the case is one suitable for punishment in the Sheriff Court, he shall forthwith pronounce sentence, and if the case is such as can only be tried in the High Court of Justiciary, or is of such an aggravated nature that the sheriff shall hold that the question of punishment should be disposed of by that court, the sheriff shall by an interlocutor written on the record copy of the indictment conform to Schedule M. appended to this Act, remit the accused to that court for sentence, and such remit shall be a sufficient warrant to bring the accused person, without any further notice, before the High Court of Justiciary for sentence at any sitting at any place that may be convenient, as the Lord Advocate

may order, and the original warrant of commitment of such person till liberated in due course of law shall remain in force until he is brought before the High Court of Justiciary for sentence, and if the person accused when brought before the sheriff on such indictment shall plead not guilty to the charge or plead guilty to any part thereof only, and the Procurator Fiscal shall decline to accept such restricted plea, then the diet shall be deserted *pro loco et tempore*, and thereafter the procedure against the person accused may be according to the other provisions of this Act.

Interlocutor of relevancy unnecessary.

32. It shall not be necessary to enter upon the record an interlocutor finding the indictment relevant, and when objections are taken to the relevancy, it shall not be necessary to enter on the record copy of the indictment or in the record any other minute setting forth how such objections were disposed of, except that such objections were sustained or repelled, and such minute shall be signed by the clerk of court.

Certain objections only competent at first diet.

33. No objection by a person accused to the validity of the citation against him, on the ground of any discrepancy between the record copy of the indictment and the copy served on him, or on account of any error or deficiency in such service copy or in the notice of citation shall be competent, unless the same be stated to the sheriff at the first diet before the accused person is called upon to plead, and no such discrepancy, error, or deficiency shall entitle such accused person to object to plead to such indictment unless the sheriff shall be satisfied that the same tended substantially to mislead and prejudice such accused person.

Where sentence delayed original warrant of commitment stands.

34. In all cases where a person accused pleads guilty at the first diet and is not forthwith sentenced by the sheriff, he shall be detained in custody until he is sentenced, under the existing warrant of commitment, unless Her Majesty's Advocate shall consent to his being suffered to go at large, and where such consent is given, it shall be on such conditions as to bail as Her Majesty's Advocate shall fix, but no unreasonable delay shall be allowed to take place between the time of the accused pleading guilty and his being brought up for sentence.

Description of witnesses.

35. The list of witnesses shall consist of the names of the witnesses, with their addresses added, and it shall not be necessary to insert the words "now or lately residing at," or any similar words, and it shall not be an objection to the admissibility of any witness that he has ceased to reside at the address given before the date of the trial, provided that he resided at such address at some time, not being more than six months previous to the date of the trial, and it shall not be necessary to insert in the list of witnesses the names of any witnesses to the declaration of an accused person or the names of any witnesses to prove that an extract conviction applies to an accused person, but witnesses may be examined in regard to these matters without previous notice.

Written notice of special defence.

36. It shall not be competent for the person accused to state any special defence unless a plea of special defence shall be tendered and recorded at the first diet, or unless cause be shown to the satisfaction of the court for a special defence not having been lodged till a later day, which must in any case not be less than two clear days before the second diet, and it shall not be

competent for the person accused to examine any witnesses or to put in evidence any productions not included in the lists lodged by the prosecutor, unless written notice of the names and designations of such witnesses and of such productions shall have been given to the Procurator Fiscal of the district of the second diet when the case is to be tried in the Sheriff Court, or to the Crown Agent where the case is to be tried in the High Court of Justiciary, at least three clear days before the day on which the jury is sworn to try the case against him, or unless the accused person shall show before a jury is sworn to try the case against him that he was unable to give the full notice of three days in regard to any witnesses he may desire to examine or productions he may desire to make, and where this is shown the court shall give such remedy to the prosecutor by adjournment or postponement of the trial or otherwise as shall seem just, and a copy of every written notice hereby required shall be lodged by the person accused with the sheriff clerk of the district in which the second diet is to be held, or in any case the second diet of which is to be held in the High Court of Justiciary in Edinburgh with the Clerk of Justiciary, at or before the second diet, for the use of the court.

Accused entitled to see productions.

37. A person accused shall be entitled to see the productions according to the existing law and practice in the office of the sheriff clerk of the district in which the Court of the second diet is situated, or where the second diet is to be in the High Court of Justiciary in Edinburgh in the Justiciary Office.

Notice of jury list.

38. It shall not be necessary to serve any list of jurors upon a person accused, but on and after the date of the service of an indictment a list of jurors prepared under the directions of the Clerk of Justiciary where the second diet is to be held in the High Court of Justiciary and prepared by the sheriff clerk of the district in which the second diet for the trial of such person is to be held, where the second diet is to be held in the Sheriff Court, and consisting of special and common jurors in the proportion of one special to two common jurors, such list containing not less than thirty names, and headed "*List of Assize for the Sitting of the High Court of Justiciary*," (*or, the Sheriff Court of at ,*) *on the of 188* , shall be kept in the office of the sheriff clerk of the district in which the court of the second diet is situated, and the person accused shall be entitled to have a copy supplied to him on application free of charge.

Sufficient jurors only to be summoned.

39. It shall not be necessary to summon all the jurors contained in any list of jurors under this Act, but it shall be competent to summon such jurors only, commencing from the top of the lists of special and common jurors respectively as may be necessary to ensure a sufficient number for the trial of the cases which shall remain for trial at the date of the citation of the jurors, and such number shall be fixed by the clerk of the court in which the second diet is to be called, or in any case in the High Court of Justiciary by the Clerk of Justiciary, and where jurors are not summoned, from the whole jurors in any list not being required, such jurors

shall be placed upon the next list issued, until they have attended to serve.

SECOND DIET —Transcript of proceedings at first diet.

40. At the calling of the second diet of compearance where the court is within the same county as the court of the first diet, the procedure shall be according to the existing law and practice, except in so far as varied by the provisions of this Act, and when the second diet is in the Sheriff Court of a different county, or in the High Court of Justiciary, the clerk of court shall on the diet being called enter in the books of court or in a record to be kept for the purpose, a transcript of the procedure at the first diet as endorsed on the record copy of the indictment by the sheriff who presided thereat, and thereafter if in the Sheriff Court the case shall proceed as a case would proceed according to the existing law and practice after the plea of the person accused had been tendered and recorded, except in so far as varied by this Act.

Review at second diet in High Court.

41. Where a person accused is cited to the High Court of Justiciary for the second diet the said court shall have power to review the proceedings at the first diet, and where the person accused has pleaded guilty to the whole or any part of the charge at the first diet, the court at such second diet if it shall be shown that such plea was taken to an irrelevant or incompetent charge, or has been taken under substantial error or misconception, or under circumstances which tended to prejudice the person accused, may allow such plea to be withdrawn or modified, and where such plea is so withdrawn or modified, the court shall, if the prosecutor shall so move, desert the diet *pro loco et tempore*, or postpone the trial to a later date, which shall be notified to the person accused in open court, and where such postponement makes it necessary that the jury for the trial of the case shall be taken from a different list from that of which notice was given to such accused person, such list shall be prepared, signed, and kept in the office of the proper sheriff clerk as aforesaid within three clear days of such postponement in manner herein-before provided.

Procedure where trial does not take place.

42. Where at the second diet the diet has been deserted *pro loco et tempore*, for any of the causes set forth in the immediately preceding section, or where from any cause whether in the High Court of Justiciary or in the Sheriff Court an indictment is not brought to trial at such second diet, and no order has been given by the court postponing such trial or appointing it to be held at a subsequent date at some other sitting of the court, it shall be lawful at any time, within nine clear days after the date of such second diet, to give notice to such accused person in the form of Schedule N. to this Act annexed on another copy of the indictment to appear to answer such indictment at another diet, and it shall be lawful to give such notice either for a sitting of the High Court of Justiciary or for a sitting of the Sheriff Court when the charge is one that can be lawfully tried in that court, notwithstanding that the original citation to a second diet was to a different court: Provided always that such notice shall be given for a diet to be held not sooner than nine clear days subsequent to such notice, and that on or before the day on which such notice is given a list of jurors be prepared, signed, and kept by the sheriff

clerk of the district to which the new notice applies in manner herein-before provided.

Prevention of delay in trials.

43. So much of the Act of William the Third passed in 1701, intituled "An Act for preventing Wrongous Imprisonment and against Undue Delay in Tryals" as relates to the prevention of undue delay in trials, other than trials for treason, is hereby repealed, and in lieu thereof it is hereby enacted that from and after the passing of this Act, any prisoner who is in prison on a commitment until liberated in due course of law, and who shall not be served with an indictment within sixty days of such commitment, shall be entitled to give notice to the Lord Advocate through the Crown Agent in Edinburgh, that if he is not served with an indictment within fourteen days of such notice, the prosecutor will be called on to show cause before the High Court of Justiciary why such accused person should not be released from prison, and upon a note being presented to the said court setting forth that such notice has been given, and that no indictment has been served within such fourteen days, the court shall appoint the prosecutor forthwith to show cause, and where cause is not shown to the satisfaction of the court, the court shall grant warrant ordering such person to be released at the expiry of three days from the issuing of such order, unless within said three days an indictment be served upon him: Provided always that where any accused person is liberated as aforesaid, it shall be competent for the prosecutor to raise an indictment against him, and to obtain from a judge of the jurisdiction to which he is cited for the second diet, or a judge of the High Court of Justiciary, a warrant authorising his apprehension and recommitment to prison to await his trial on such indictment, and in the event of the trial on such indictment not taking place at the second diet thereof, or any other day to which it may be adjourned or postponed by the court, the High Court of Justiciary shall, upon the application of such accused person, made by a note addressed to the court, and after hearing parties, consider the whole circumstances of the case, and may in its discretion order the immediate release of such prisoner, or may grant warrant ordering him to be released on a day named in the warrant, unless he shall on or before such day be remitted to the knowledge of an assize on indictment, or may decline to pronounce any order: Provided always, that where a person accused has been incarcerated for eighty days, and an indictment is served upon him, and he is detained in custody after expiry of such eighty days, then, unless he is brought to trial and the trial concluded within one hundred and ten days of the date of his being committed till liberated in due course of law, he shall be forthwith set at liberty, and declared for ever free from all question or process for the crime with which he was charged: Provided also, that where any person accused has been liberated from prison after having been committed till liberated in due course of law, he shall not be detained in prison more than one hundred and ten days in all; but unless his trial is brought to a conclusion before the hundred and tenth day of confinement in prison subsequent to commitment till liberated in due course of law, has expired, he shall be forthwith set at liberty and declared for ever free from all question or process for the crime for which he was committed; but it shall be competent

for the High Court of Justiciary in any case brought before it under this section, upon its being shown to the satisfaction of the Court that the trial of a person accused ought to be suffered to proceed after the lapse of one hundred and ten days as aforesaid, when the delay in prosecuting to verdict is owing to the illness of the accused or the absence or illness of any necessary witness, or the illness of a judge or juror, or any other sufficient cause for which the prosecutor is not responsible, to order the person accused, notwithstanding the expiry of the said period of one hundred and ten days, to be kept in custody, with a view to trial, for such further period or periods as to the said Court may seem just.

High Court of Justiciary.

44. From and after the time fixed for the commencement of this Act, all sittings of the Court of Justiciary in Scotland shall be sittings of the High Court of Justiciary, and every person who shall be appointed to the office of one of the senators of the College of Justice in Scotland shall, in virtue of such appointment, be a Lord Commissioner of Justiciary in Scotland, and all the senators of the College of Justice now in office, who are not Lords Commissioners of Justiciary, are hereby appointed to be Lords Commissioners of Justiciary, and every senator of the College of Justice, other than the Lord Justice General and Lord Justice Clerk, shall officiate in rotation as Lord Ordinary on the Bills in vacation: Provided always, that the five presently existing Lords Commissioners of Justiciary, other than the Lord Justice General and Lord Justice Clerk, shall not be required to officiate as Lord Ordinary on the Bills, and shall, in the High Court of Justiciary, take precedence of those senators of the College of Justice who are created Lords Commissioners of Justiciary by this Act: Provided also, that, if any of the said five presently existing Lords Commissioners of Justiciary shall not officiate as Lord Ordinary on the Bills in vacation, he may be required to officiate with greater frequency than other Lords Commissioners of Justiciary at sittings of the High Court of Justiciary in Edinburgh or elsewhere; and if any difference shall arise as to the rotation of judges in the High Court of Justiciary, or in the Bill Chamber, the same shall be determined by the Lord Justice General.

Salaries of judges of High Court.

45. From and after the time fixed for the commencement of this Act there shall be paid to the judges herein-after mentioned the following salaries; that is to say,

To the Lord Justice General five thousand pounds a year;

To the Lord Justice Clerk four thousand eight hundred pounds a year;

To each of the Senators of the College of Justice three thousand six hundred pounds a year.

Such salaries to be instead of the salaries by law payable to such judges immediately before such commencement, provided always that from and after such commencement all allowances to such judges for circuit court expenses shall cease and determine; and such judges shall not be entitled to any allowance in addition to such salaries in respect of any court held by them as Lords Commissioners of Justiciary whether on circuit or otherwise.

Sittings of High Court.

46. The Lords Commissioners of Justiciary shall hold such sittings for the trial of criminal causes as may be necessary, on the requisition of the Lord Advocate, subject to such orders as Her Majesty in Council may issue ordaining courts to be held, and every sitting of the Lords Commissioners, whether under the existing law and practice or under this Act, or under such Order in Council, shall be a sitting of the High Court of Justiciary, and the ceremonies of fencing and closing courts by proclamation of a macer shall be discontinued, and it shall not be necessary for the Lords Commissioners of Justiciary to remain in any town for a longer time than is required for the disposal of the criminal and civil business falling to be disposed of at such sitting.

Area from which jury summoned.

47. When the High Court of Justiciary shall exercise its power of holding a court in any town which may be most convenient for the trial of any crime in or near the locality in which such crime has been committed, and where such town is not one of the towns in which the Court of Justiciary has been in use to hold sittings, the jury summoned to try such case shall be summoned from the general jury roll of the county in which such town is situated; but in all cases where the court shall hold sittings in towns which have hitherto been called circuit towns, the jury shall be summoned from the same counties as they are now summoned from under the existing practice.

Sitting dispensed with.

48. It shall not be necessary for the High Court of Justiciary to proceed to any town for the purpose of holding any court in use to be held in such town, when there are no cases indicted for the sitting of the court at such town, or when so many of the persons indicted thereto have pleaded guilty before the sheriff at the first diet as to make the holding of a special court inexpedient, and in that event such cases as remain for trial may be ordered to be brought up at another court in manner herein-after provided, and any appeal which may have been taken to such court shall be heard by the High Court of Justiciary in Edinburgh, or may, when both parties consent, be heard at any sitting of the High Court of Justiciary at any place.

Adjournment of second diets.

49. When any person accused who is cited to the High Court of Justiciary for the second diet has pleaded guilty at the first diet, it shall be lawful for any Lord Commissioner of Justiciary in chambers, and without the presence of the prosecutor or person accused, to adjourn the second diet to any other sitting of the High Court of Justiciary.

Sitting transferred where few cases.

50. Where so many of the persons who have been indicted for any sitting of the High Court of Justiciary have pleaded guilty at the first diet as to make the holding of a separate court for the cases remaining unnecessary, it shall be lawful for any Lord Commissioner of Justiciary, on the petition of the Lord Advocate, presented within three days immediately succeeding the first diet, and in chambers, and without the presence of the prosecutor or person accused, to order the second diets of such cases to be postponed and to be held at any sitting of the High Court of Justiciary about to be held in any adjacent county or any county in the same district of the country or in Edinburgh, and upon such order for postponement being issued, a notice shall forthwith be served upon any person

accused who may have already been cited, in the form of Schedule O. to this Act annexed.

Trials in adjacent county.

51. Where any crime is committed in any county of an existing circuit in which no sitting of the High Court of Justiciary falls to be held in ordinary course for some months thereafter, it shall be competent to cite the person accused to compear before the High Court of Justiciary at any sitting which is to be held sooner by the said High Court in another county being in a circuit district adjacent thereto.

Postponement on old warrant where diet deserted.

52. Where a diet is deserted *pro loco et tempore*, or where a diet is postponed or adjourned, or an order issued for the trial to take place at a different place from that first given notice of, it shall not be necessary that a new warrant should be granted for the incarceration of a person accused, but the warrant of commitment on which such person is at the time in custody till liberated in due course of law shall continue in force.

Objections to witnesses.

53. Any objection in respect of misnomer or misdescription of any person named in the indictment, or of any witness in the list of witnesses, must be stated before a jury has been sworn to try the case against a person accused, and no such objection shall be admitted as ground for postponing any trial or for excluding any witness, unless the accused person shall, at least four clear days before the second diet, give notice to the Procurator Fiscal of the district of the second diet where notice of trial is given for the Sheriff Court, or to the Crown Agent where notice of trial is given for the High Court of Justiciary, of his inability to discover who such person named in the indictment is, or to find such witness, and shall show that notwithstanding such intimation to the prosecutor he has not been furnished with such additional information as might enable him to ascertain who such person is, or to find such witness in sufficient time to precognosce him before the trial, and where either of these things shall be shown the court shall give such remedy by postponement, adjournment, or otherwise, as shall seem just.

Clerk to state charge, and swear jury.

54. When a jury has been ballotted, the clerk of court shall inform the jury of the charge against the person accused as set forth in Schedule P. to this Act annexed, and shall thereafter administer the oath in ordinary form, and it shall not be necessary to lay before the jury copies of the indictment, list of witnesses, or list of productions.

Seclusion of jury.

55. It shall not be necessary when for any cause a trial which is proceeding is adjourned from one day to another, that the jury shall be secluded during the adjournment, except in cases in which a sentence of capital punishment may follow on conviction, or in cases where the court shall see fit whether *ex proprio motu*, or on the motion of the prosecutor or the person accused, to order that the jury be kept secluded, and every trial shall proceed from day to day till concluded, unless the court shall see cause to adjourn over a day or days.

Capital cases.

56. A capital sentence shall no longer be competent except on conviction of murder or of offences against the Act 10 Geo. IV. c. 38, and it shall be lawful to indict in the Sheriff Court persons accused of the crime of uttering a forged document, or of the crime

of robbery or of the crime of wilful fire-raising, or of any of the crimes under the Acts of Parliament for the prevention of persons going armed by night for the destruction of game, which under these Acts can at present be indicted in the Court of Justiciary only, but nothing in this clause contained shall render bailable any of the crimes above set forth, which are not now bailable, or shall extend the powers of the sheriff in regard to punishment.

Form of sentence.

57. In all cases whether in the Sheriff Court or in the High Court of Justiciary, the sentence to be pronounced shall be announced by the Judge in open court, and all such sentences, except sentences of death, shall be entered in the record in the short form now in use in the Court of Justiciary, and it shall not be necessary to read the entry of the sentence from the record, and the form and mode in which any sentence of death shall be entered in the record shall be such as the High Court of Justiciary may appoint by Act of Adjournal.

Reset.

58. Criminal resetting of property shall not be limited to the receiving of property taken by theft or robbery, but shall extend to the receiving of property appropriated by breach of trust and embezzlement and by falsehood, fraud, and wilful imposition, and under any indictment charging the resetting of property dishonestly appropriated by any of these means, it shall not be necessary to set forth any details of the crime by which the dishonest appropriation was accomplished, but it shall be sufficient to set forth that the person accused received such property it having been dishonestly appropriated by theft or robbery, or by breach of trust and embezzlement, or by falsehood, fraud, and wilful imposition, as the case may be.

Robbery, &c. to include reset and theft to include breach of trust, &c.

59. Under an indictment for robbery or for theft, or for breach of trust and embezzlement, or for falsehood, fraud, and wilful imposition, a person accused may be convicted of reset; under an indictment for robbery or for breach of trust and embezzlement, or for falsehood, fraud, and wilful imposition, a person accused may be convicted of theft; under an indictment for theft, a person accused may be convicted of breach of trust and embezzlement, or of falsehood, fraud, and wilful imposition, or may be convicted of theft, although the circumstances proved may in law amount to robbery.

Procedure where more than one crime charged.

60. Where in an indictment two or more crimes or acts of crime are charged cumulatively, it shall be lawful to convict of any one or more of them, and any part of what is charged in an indictment, constituting in itself an indictable crime, shall be deemed separable to the effect of making it lawful to convict of such crime, and where any crime is charged as having been committed with a particular intent or with particular circumstances of aggravation, it shall be lawful to convict of the crime without such intent or aggravation.

Attempt at crime.

61. Attempt to commit any indictable crime shall itself be an indictable crime, and under an indictment which charges a completed crime, the person accused may be lawfully convicted of an attempt to commit such crime; and under an indictment charging an attempt, the person accused may be convicted of such attempt although the evidence be sufficient to prove the completion of the crime said to have been attempted; and under an indictment which

charges a crime which imports personal injury inflicted by the person accused, resulting in death or serious injury to the person, the person accused may be lawfully convicted of the assault or other injurious act, and may also be lawfully convicted of the aggravation that such assault or other injurious act was committed with intent to commit such crime.

Statutory offences which are offences at common law.

62. Where any act set forth in an indictment as contrary to any Act of Parliament, is also criminal at common law, or where the facts proved under such an indictment do not amount to a contravention of the Statute, but do amount to a crime at common law, it shall be lawful to convict of the common law crime.

Previous convictions of dishonesty.

63. Extracts of previous convictions obtained in any part of the United Kingdom of robbery, theft, stouthrief, reset, forgery and uttering forged documents, falsehood fraud and wilful imposition, housebreaking with intent to steal, assault with intent to rob, breach of trust and embezzlement, burglary, larceny, obtaining goods or money by false pretences, swindling, cardsharping, and of attempts to commit any of these crimes, and of crimes contrary to the Acts of Parliament relating to the Queen's coinage, and of crimes relating to the Queen's coinage at common law, and of crimes inferring dishonest appropriation by post office officials, or of attempts to commit such crimes, whether such convictions be under the Post Office Acts or at common law, and of all other crimes inferring dishonest appropriation of property by a person not the owner thereof, or attempts to commit such crimes, whether in contravention of any Act of Parliament or at common law, may be lawfully put in evidence as aggravations against any person accused on indictment of any of the crimes, or attempts to commit crimes above set forth, and any aggravation of the crime or attempt which such extract conviction bears to have been found proven, may be lawfully used in evidence to the like effect.

Previous convictions of violence.

64. Extracts of previous convictions of any crime inferring personal violence obtained in any part of the United Kingdom may be lawfully put in evidence as aggravations of any crime inferring personal violence, and any aggravation set forth in such extract convictions may be lawfully used in evidence to the like effect.

Previous convictions of lewd conduct, &c.

65. Extracts of previous convictions obtained in any part of the United Kingdom of any crime inferring lewd, indecent, or libidinous conduct may be lawfully put in evidence as aggravations of any crime of a lewd, indecent, or libidinous character, and any aggravation set forth in such extract convictions may be lawfully used in evidence to the like effect.

Extract convictions to be received unless impugned.

66. An extract conviction of any crime committed in any part of the United Kingdom, bearing to be under the hand of the officer in use to give out such extract conviction shall be received in evidence without being sworn to by witnesses, and such conviction shall be held to apply to the person accused to whom notice is given in the list of productions that it is to be used against him, unless he shall give written notice to the Procurator Fiscal of the district to the court of which he is cited for the second diet, or to the Crown Agent where he is cited to the High Court of Justiciary for the second diet, at least five clear days before the date fixed for

the second diet or any date to which such diet may be adjourned or postponed, or where the person accused proposes to plead guilty at the first diet, then not less than two clear days before the first diet, that such extract conviction is not under the hand of the proper officer, or that it does not apply to such accused person, or of any other objection to its validity or admissibility, and where such notice is given it shall be competent to prove by a witness or witnesses such previous conviction, or any facts relevant to the admissibility of the same, although the name of any such witness be not included in the list served on the person accused, and the person accused shall also be entitled to examine witnesses in regard thereto, and an official of any prison in which such person accused may have been confined on such conviction shall be a competent and sufficient witness to prove the application thereof to the person accused, although he may not have been present in court at the trial to which the extract produced of such conviction relates.

Proving and recording previous convictions.

67. Previous convictions against a person accused shall not be laid before the jury, nor shall reference be made thereto in presence of the jury before the verdict is returned; but nothing herein contained shall prevent the public prosecutor from laying before the jury evidence of such previous convictions where, by the existing law, it is competent to lead evidence of such previous convictions as evidence *in causa* in support of the substantive charge, or where the person accused shall lead evidence to prove previous good character, and it shall no longer be necessary for the jury to return a verdict finding whether previous convictions against the person accused have been proved or not, but where any such conviction is admitted in evidence by the court, either after a plea of guilty or after a verdict of guilty to any charge to which such previous conviction constitutes an aggravation, the court shall have power to take such previous conviction into consideration in awarding punishment, and where any person is convicted of any crime, and also of any aggravation by previous conviction, the clerk of the court in which sentence is pronounced, shall enter in the record of the trial a statement of the contents of any extract conviction that is put in evidence, setting forth the date, the place of trial, the court, the nature of the crime, the aggravations accompanying it, if any, and the sentence pronounced; and where such person is again accused of any offence, in regard to which such conviction may be competently used as an aggravation, a duly certified extract of the conviction setting forth the particulars of previous conviction as above, shall be admissible and sufficient as evidence to prove against him all the previous convictions and aggravations therein set forth.

Superfluous particulars as to identity.

68. When in the trial of any indictment the evidence led shall be sufficient to prove the identity of any person, corporation, or company, or of any place, or of any thing, it shall not be a valid objection to the sufficiency of such evidence that any particulars set forth in regard thereto in the indictment have not been proved.

Declarations.

69. The declaration of the person accused, the formal parts of which may be written or printed, or partly written and partly printed, duly authenticated by the magistrate examiner as having been emitted before him according to the existing law and practice,

shall be received in evidence without being sworn to by witnesses, and it shall not be necessary to insert the names of any witnesses to the declaration in any list of witnesses, either for the prosecution or for the person accused, but it shall be competent for the person accused, before such declaration is read to the jury, to adduce as witnesses the persons who were present when the declaration was emitted, and to examine them upon any matters regarding such declaration on which it would be competent to examine them according to the existing law and practice, and to move the court to refuse to allow the declaration to be read on grounds appearing on the face of the declaration itself, or on the ground of what is disclosed in such evidence or on both of these grounds, and where a person accused objects to the declaration, the prosecutor shall be entitled to examine any witnesses in regard thereto, whom the person accused may be entitled to examine as aforesaid.

Variance between indictment and evidence.

70. No trial shall fail or the ends of justice be allowed to be defeated by reason of any discrepancy or variance between the indictment and the evidence, but the indictment may, unless the court see just cause to the contrary, be amended at any time before the case for the prosecution is closed, so as to cure any such discrepancy or variance, and any amendment so allowed to be made shall be sufficiently authenticated by the initials of the Clerk of Court: Provided always, that such amendment shall not be allowed unless the court shall be satisfied that such discrepancy or variance is not material to the merits of the case, and that the person accused cannot be prejudiced thereby in his defence on the merits.

Certain sections to apply to summary complaints.

71. Sections four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, and seventy of this Act, and the relative schedules, except where there is anything in any section which specially applies to procedure in the High Court of Justiciary and the Sheriff Court where the sheriff is sitting with a jury, shall apply to all summary complaints in inferior courts, whether under any Act of Parliament or at common law, the words "summary complaint" being substituted for the word "indictment," and the words "crime or offence punishable on summary complaint" being in that case substituted for the word "crime," and the words "punishable on summary complaint" being substituted for the word "indictable," and the word "court" being substituted for the word "jury," and the mode of setting forth the charge given in Schedule A. may be followed in such summary complaints, the third person being substituted for the second: Provided always that nothing herein contained shall make it competent to try summarily a person accused of any crime or attempt at crime, where trial on summary complaint for such crime is not competent by the existing law and practice.

High Court proceedings final.

72. All interlocutors and sentences pronounced by the High Court of Justiciary under the authority of this Act shall be final and conclusive, and not subject to review by any court whatsoever, and it shall be incompetent to stay or suspend any execution or diligence issuing forth of the High Court of Justiciary under the authority of the same.

Circuit clerks of Justiciary.

73. When the existing circuit clerks of justiciary shall respectively die, resign, or otherwise vacate office, the vacancies thus occasioned shall not be filled up, and the duties of clerk of the High Court of Justiciary when sitting elsewhere than in Edinburgh shall be performed by the first assistant clerk of justiciary and the depute clerks of session, in such rotation as the principal clerk of justiciary in consultation with the senior depute clerk of session shall, with the sanction of the Lord Justice General, appoint, having regard to the convenient adjustment of business in the High Court of Justiciary and the Court of Session, and these duties shall be performed on such terms as shall be fixed with the consent of the Treasury.

Repeal.

74. All statutes, laws, regulations, and usages inconsistent or at variance with the provisions of this Act shall be, and the same are hereby repealed: Provided always, that the same shall continue in force in all other respects whatsoever.

Act not to apply to treason.

75. Nothing in this Act contained shall apply to the crimes of treason or rebellion against the Sovereign, or shall affect the procedure in any prosecution or trial for treason, or for rebellion against the Sovereign, but all procedure in the prosecution and trial of such crimes shall be conducted according to the existing law and practice.

Power to High Court to pass Acts of Adjournal.

76. From and after the passing of this Act it shall be lawful for the Lords Commissioners of the High Court of Justiciary, and the said Court is hereby required from time to time to make all such rules and regulations, by Act of Adjournal, as may be necessary for carrying out the purposes and accomplishing the objects of this Act: Provided always, that copies of all such Acts of Adjournal shall, within fourteen days after the making thereof, be laid before both Houses of Parliament, if Parliament shall be then sitting, and if not, within fourteen days after the commencement of the then next Session of Parliament.

Commencement of Act.

77. Excepting in so far as otherwise expressly provided, this Act shall take effect on and after the fifteenth day of October one thousand eight hundred and eighty-seven: Provided always, that nothing herein contained shall affect the proceedings under any criminal indictment or criminal letters served before the commencement hereof, and such proceedings shall be continued and completed according to the existing law and practice.

Short title.

78. This Act may be cited as the Criminal Procedure (Scotland) Act, 1887.

SCHEDULES.

Sections 2, 16, 71.

SCHEDULE A.

EXAMPLES OF INDICTMENTS.

A.B. (*name and address, that given in the declaration being sufficient*), you are indicted at the instance of J. H. A. M. (*name of Lord Advocate*), Her Majesty's Advocate, and the charge against you is that on 20th 188 , in a shop in George Street, Edinburgh, occupied by John Cruikshank, draper, you did steal a shawl and a boa (*add in case*

of previous conviction, "and you have been previously convicted of dis- " honest appropriation of property," *or* " of attempt to appropriate property " dishonestly," *as the case may be*).

. . . . You did rob Charles Doyle, a cattle dealer, of Biggar, Lanarkshire, of a watch and chain and seven shillings and fourpence of money. . . . .

. . . . You did break into the house occupied by Andrew Howe, banker's clerk, and did there steal twelve spoons, a ladle, and a candlestick. . . . .

. . . . You did force open (*or* attempt to force open) a lockfast cupboard, and did thus attempt to steal therefrom. . . . .

. . . . You did place your hand in one of the pockets of Thomas Kerr, commercial traveller, 115 Main Street, Perth, and did thus attempt to steal. . . . .

. . . . You did assault Lewis Mann, station-master at Earlston, and compress his throat and attempt to take from him a watch and chain. . . . .

. . . . You did, while in the employment of James Pentland, accountant, in Frederick Street, Edinburgh, embezzle forty pounds fifteen shillings of money. . . . .

. . . . You did, while acting as commercial traveller to Brown and Company, merchants in Leith, at the times and places specified in the inventory hereto subjoined, receive from the persons therein set forth the respective sums of money therein specified for the said Brown and Company, and did embezzle the same (*or* did embezzle forty-seven pounds of money being part thereof). . . . .

. . . . You did pretend to Norah Omond, residing there, that you were a collector of subscriptions for a charitable society, and did thus induce her to deliver to you one pound one shilling of money as a subscription thereto, which you appropriated to your own use. . . . .

. . . . You did reset a watch and chain, pocket book, and fifteen pounds eleven shillings of money, the same having been dishonestly appropriated by theft or robbery. . . . .

. . . . You did utter as genuine a bill, on which the name of John Jones bore to be signed as acceptor, such signature being forged by (*here describe in general terms how the bill was uttered, and add where the bill is produced*), and said bill of exchange is No. of the productions lodged herewith. . . . .

. . . . You did utter as genuine a letter bearing to be a certificate of character of you, as a domestic servant, by Mary Watson, of 15, Bon Accord Street, Aberdeen, what was written above the signature of Mary Watson having been written there by some other person without her authority by handing it to Ellen Chisholm, of Panmure Street, Forfar, to whom you were applying for a situation (*here add when the letter is produced*), and said letter is No. of the productions lodged herewith. . . . .

. . . . You did utter a cheque signed by Henry Smith for eight pounds sterling, which had been altered without his authority by adding the letter Y to eight and the figure 0 to figure 8, so as to make it read as a cheque for eighty pounds sterling, by presenting such altered cheque for

payment to Allen Brown, cashier of the Bank of Scotland at Callander (*here add when the cheque is produced*), and said cheque is No. of the productions lodged herewith. . . . .

. . . . You did, when examined in bankruptcy before Hubert Hamilton, Esquire, Sheriff Substitute of the Lothians, depone (*here state the general nature of the false statement*) in order to defraud your creditors. . . . .

. . . . You did, having been on the 20th March 1881 declared bankrupt conceal property consisting of (*here state generally the property concealed*) falling under your sequestration, in order to defraud your creditors, by burying it in the garden of your house in Troon Street, Kilmarnock, (*or* by removing it to the house of James Kidd, your son, No. 17 Greek Street, Port Glasgow). . . . .

. . . . You did set fire to a warehouse occupied by Peter Cranston in Holly Lane, Greenock, and the fire took effect on said warehouse, and this you did wilfully (*or* culpably and recklessly). . . . .

. . . . You did set fire to the shop in Brown Street, Blairgowrie, occupied by you, with intent to defraud the Liverpool, London, and Globe Insurance Company, and the fire took effect on said shop. . . . .

. . . . You did, being employed under the Post Office, open a post letter contrary to the Act 7 Will. 4 & 1 Vict. c. 36. s. 25. . . . .

. . . . You did assault Theresa Unwin, your wife, and did beat her and did murder her. . . . .

. . . . You did stab Thomas Underwood, baker, of Shiels Place, Oban, and did murder him. . . . .

. . . . You did administer poison to Vincent Wontner, your son, and did murder him. . . . .

. . . . You did strangle Mary Shaw, millworker, daughter of John Shaw, residing at Juniper Green, in the county of Midlothian, and did murder her. . . . .

. . . . You were delivered of a child now dead or amissing, and you did conceal your pregnancy and did not call for or use assistance at the birth, contrary to the Act 49 Geo. III. c. 14. . . . .

. . . . You did assault Hector Morrison, carter, of 20 Buccleuch Street, Dalkeith, and did beat him with your fists and with a stick, and did break his arm. . . . .

. . . . You did ravish Harriet Cowan, mill worker, of 27 Tweed Row, Peebles. . . . .

. . . . You did attempt to ravish Jane Peters, servant, at Glen House, near Dunbar. . . . .

. . . . You did, when acting as railway signalman, lower a danger signal and allow a train to enter on a part of the line protected by the signals under your charge, and did cause a collision, and did kill William Peters, commercial traveller, of Brook Street, Carlisle, a passenger in said train. . . . .

. . . . You formed part of a riotous mob, which, acting of common purpose, obstructed A.B., C.D., and E.F., constables of the Forfarshire constabulary on duty, and assaulted them, and forcibly took two persons whom they had arrested from their custody. . . . .

. . . . You did, being the lawful husband of Ellen Hargreaves, of 20 Teviot Row, Edinburgh, and she being still alive, bigamously marry Dorothy Rose, a widow, of 7 Blacks Row, Brechin, and did cohabit with her as her husband. . . . .

. . . . You being sworn as a witness in a civil cause, then proceeding in the Sheriff Court, deponed (*here set forth the statements said to be false*) the truth as you knew being that (*here state the true facts*). . . . .

. . . . You did suborn James Carruthers, scavenger, 12 Hércles Street, Edinburgh, to depone as a witness in the Sheriff Court of Edinburgh, that (*here set forth the statements said to be false*), and he did (*time and place*) depone to that effect, the truth as you knew being (*here state the true facts*). . . . .

. . . . You did deforce John Macdonald, a sheriff officer of Renfrewshire, and prevent him serving a summons issued by the sheriff of Renfrewshire upon Peter McInnes, market gardener in Renfrew. . . . .

SCHEDULE B.

Section 23.

WARRANT FOR CITATION OF PERSONS ACCUSED, WITNESSES, AND JURORS.

Whereas the High Court of Justiciary (*or* the Sheriff of Perthshire) is to hold a sitting for the trial of persons accused on indictment at Aberdeen (*or* at Dunblane) on the 5th of October 1887, with continuation of days, warrant is hereby granted to all officers competent to cite all persons accused to the diet of compearance in the Sheriff Court . . . . . days before the said sitting and to the said sitting, and to cite to the said sitting witnesses both for the prosecutor and persons accused, and to cite jurors.

SCHEDULE C.

Section 23.

EXECUTION OF CITATION.

I, John Parker, on the 10th of April 1887, duly served on William Ellis, prisoner in the prison of Maxwelltown, the indictment against him, with a notice of compearance thereto attached, for the first diet in the Sheriff Court at Dumfries, on the . . . of April 1887, and for the second in the Sheriff Court at Kircudbright on the . . . . of April 1887.

JOHN PARKER,
Governor of the Prison of Maxwelltown.

Joseph Barker, witness.

SCHEDULE D.

Section 23.

Citation to the following persons:—

A.B.,
C.D.
E.F.

to attend the sitting of the High Court of Justiciary at Perth on the 25th March 1887, as witnesses in the case against *G.H.* was duly made by me by delivering to or for each of them a notice of citation.

PETER JOHNSTONE,
Police Constable of Perthshire.

Section 23.

SCHEDULE E.

Citation to—

A.B.
C.D.
E.F.

to attend the sitting of the High Court of Justiciary at Perth on 25th March 1887 as jurors, was duly made by me by forwarding to each of them through the Post Office by registered letter, a notice of citation.

JOHN THOMAS,
Sheriff Clerk of Perthshire.

Section 25.

SCHEDULE F.

A.B., take notice that you will have to compear before the sheriff of Dumfriesshire within the Sheriff Court at Dumfries upon the . . . . of . . . 188 . . at . . . . o'clock for the first diet, and also before the sheriff of Wigtonshire in the Sheriff Court at Wigtown on the . . . . day of . . . . 188 . . . at . . . o'clock for the second diet to answer to the indictment against you to which this notice is attached.

Served on the . . . . day of . . . . 188 . . . by me.

JOHN HARVEY,
Sheriff Officer.

Peter Malony, witness.

Section 25.

SCHEDULE G.

A.B., take notice that you will have to compear before the sheriff of . . . . within the Sheriff Court House at . . . . upon the . . . . day of . . . . 188 . . . at . . . o'clock for the first diet, and also before the High Court of Justiciary within the . . . . Court House at . . . . on the . . . . day of . . . . 188 . . . at . . . o'clock for the second diet, to answer to the indictment against you to which this notice is attached.

Served on the . . . . day of . . . . 188 . . . by me.

JAMES BAIRD,
Chief Warder of the Prison of Edinburgh.

James Haldane, witness.

Section 28.

SCHEDULE H.

The sheriff, in respect of the above modified plea of guilty (*or* in respect the circumstances make it desirable that the sentence to be pronounced should be determined by the Sheriff of . . . .), adjourns the case to the second diet of compearance.

PATRICK BLAIR.

Section 29.

SCHEDULE I.

At Edinburgh the 5th March 1888, the said *A.B.* having been called on to plead to the foregoing indictment pleaded guilty (*or* pleaded not guilty, *or* pleaded guilty of attempt to commit the crime charged, and *quoad ultra* not guilty, *or* pleaded not guilty, and further pleaded specially that at the time the crime charged is said to have been committed he was of unsound mind or insane, *or otherwise as the case may be*).

JAMES A. CRICHTON.

SCHEDULE K.

Section 29.

At Dumfries the 14th day of April 1888, the said *A.B.* stated objections to (*here state generally the nature of the objections*) which are hereby reserved for the consideration of the court at the second diet.

DAVID BOYLE HOPE.

SCHEDULE L.

Section 31.

A.B., take notice that the Crown Agent has received intimation that you intend to plead guilty to the charge on which you have been committed for trial, and that you will have to compear before the Sheriff of Lanarkshire within the . . . . Court House at Glasgow upon the . . . . of . . . . 188 . . . . to answer to the indictment to which this notice is attached.

JAMES SCOTT,
Warder, Prison of Glasgow.

SCHEDULE M.

Section 31.

The Sheriff remits the said *A.B.* to the High Court of Justiciary for sentence on the foregoing plea of guilty.

ROBERT BERRY.

SCHEDULE N.

Section 42.

A.B., take notice that you will have to compear before the . . . . . within the . . . . court house at . . . . to answer to the indictment which has already been served upon you, on the . . . . day of . . . . at . . . . o'clock.

Served on the . . . . day of . . . . 188 . . . . by me.

JAMES LEISHMAN,
Macer.

Harry Spiers, witness.

SCHEDULE O.

Section 50.

A.B., take notice, that the High Court of Justiciary has postponed the second diet on the indictment served on you, and that you will have to compear before the said court within the . . . . court house at . . . . on the . . . . day of . . . . at . . . . o'clock, and the list of jurors for such postponed diet, is in the office of the sheriff clerk of . . . . at . . . .

Served on the . . . . day of . . . . 188 . . . . by me,

ADOLPHUS M. ROSS,
Macer.

George Purves, witness.

SCHEDULE P.

Section 54.

"The charge against the prisoner is that on 20th March 1888, in a shop in George Street, Edinburgh, occupied by John Cruikshank, draper, he stole a shawl and a boa (*using the words of the indictment, and substituting the third person for the second*).

CHAPTER 36.

An Act for amending the Allowances payable to Clerks of General Meetings of Lieutenancy.

[16th September 1887.]

WHEREAS under the enactments specified in the schedule to this Act the clerks of the general and sub-division meetings of lieutenancy are entitled to certain allowances in respect of duties under the laws relating to the Yeomanry and to the Volunteer force; and it is expedient that those allowances be reduced in the case of clerks who have accepted office with notice that their allowances are liable to reduction and be abolished in the case of clerks hereafter appointed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Lieutenancy Clerks Allowances Act, 1887.

Reduction and gradual abolition of allowances to lieutenancy clerks.

2.—(1.) A clerk of general or sub-division meetings of lieutenancy, if first appointed after the passing of this Act, shall not be entitled to any allowance under the enactments specified in the schedule to this Act.

(2.) Where any such clerk has accepted office with notice that his allowances under the said enactments are liable to reduction, those allowances may be reduced by such amount as appears to one of Her Majesty's Secretaries of State to be equitable.

(3.) The enactments specified in the schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned, except as to clerks first appointed before the passing of this Act.

SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
7 Geo. 4. c. 58.	An Act to amend the laws relating to the corps of Yeomanry Cavalry and Volunteers in Great Britain.	Section five and Table B.
26 & 27 Vict. c. 65.	An Act to consolidate and amend the Acts relating to the Volunteer Force in Great Britain.	Section forty-seven, and the part of the Schedule headed "V. Allowances to clerks."

CHAPTER 37.

An Act to grant money for the purpose of certain Local Loans; and for other purposes relating to Local Loans.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Public Works Loans Act, 1887.

Grants for Public Works and Scotch Fishery Board.

2.—(1.) For the purpose of local loans there may be issued by the National Debt Commissioners the following sums; namely,—

(*a.*) For the purpose of loans by the Public Works Loan Commissioners, any sum or sums not exceeding in the whole the sum of two million pounds:

(*b.*) For the purpose of loans by the Commissioners of Public Works in Ireland, any sum or sums not exceeding in the whole one million pounds:

(*c.*) For the purpose of loans by the Fishery Board for Scotland, any sum or sums not exceeding in the whole thirty thousand pounds.

(2.) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of Local Loans Fund.

3. Whereas it is expedient that the outstanding portions of the principal of the several local loans specified in the schedule hereto should not be reckoned as assets of the Local Loans Fund established under the National Debt and Local Loans Act, 1887: Be it therefore enacted as follows:

(1.) The said outstanding portions shall be written off from the account of assets of the Local Loans Fund and shall be treated in accordance with the provisions of section fifteen, subsection one, of the said Act.

(2.) Pursuant to those provisions, nothing in this section shall alter the liability of any person or body corporate to pay the principal of, or interest on, any such local loan or any part thereof.

(3.) All moneys received after the passing of this Act in respect of any such loan shall be carried to the credit of the Local Loans Fund.

Power for certain local authorities to guarantee harbour loans. 45 & 46 Vict. c. 62.

4. Whereas under section seven of the Public Works Loans Act, 1882, provision may be made for enabling any rating authority as therein defined to charge any fund or rate under their control for the purpose of aiding a public body in raising a loan for the construction of a harbour, pier, or other similar works, and it is expedient to extend the provisions of that section to certain other rating authorities: Be it therefore enacted that the expression "rating authority" as defined in that section shall include:—

(1.) As regards England:—

(*a.*) any authority being a rural sanitary authority under the Public Health Act, 1875, and the Acts amending the same; and

38 & 39 Vict. c. 55.

(*b.*) any justices in quarter sessions assembled and any representative county body which may be hereafter created by Act of Parliament.

(2.) As regards Scotland:—

30 & 31 Vict. c. 101.

(*a.*) any local authority under the Public Health (Scotland) Act, 1867, and the Acts amending the same; and

(*b.*) the Commissioners of Supply of counties, and any representative county body which may be hereafter created by Act of Parliament.

(3.) As regards Ireland:—

41 & 42 Vict. c. 52.

(*a.*) any authority being a rural sanitary authority under the Public Health (Ireland) Act, 1878, and the Acts amending the same; and

(*b.*) any grand jury making a presentment which has been previously sanctioned at presentment sessions, and any representative county body which may be hereafter created by Act of Parliament.

Application of Basses Lights Fund towards additional lighthouses in Ceylon. 32 & 33 Vict. c. 77. 35 & 36 Vict. c. 55. 44 & 45 Vict. c. 38.

5. Whereas by the Basses Lights Act, 1869, the Basses Lights Act, 1872, and the Public Works Loans Act, 1881, the Public Works Loan Commissioners were authorised to advance sums for the purpose of constructing the Great Basses Lighthouse and the Little Basses Lighthouse, both on the coast of Ceylon, and a lighthouse on the Island of Minicoy, between the Maldive and Laccadive Islands, and the dues levied in respect of those lighthouses were declared to form one fund (in this section referred to as the Basses Lights Fund), to be applied for the purpose of defraying the expenses incurred in erecting and maintaining those lighthouses, and for no other purpose:

And whereas there is standing to the credit of the Basses Lights Fund a balance of twenty-six thousand pounds or thereabouts, and it is expedient that the said fund be to the extent herein-after mentioned made applicable to the erection and maintenance of two additional lighthouses which it is proposed to erect on or near the coast of Ceylon:

Be it therefore enacted, that the said balance, and any surplus of the said fund, after providing for the payments required by the said Acts, shall be applicable for the purpose of paying the expenses incurred in erecting and maintaining the said two additional lighthouses.

SCHEDULE.

Section 3.

1. LOANS BY THE TREASURY.

—	Amount advanced.	Amount repaid.	Amount outstanding.
	£ s. d.	£	£ s. d.
Menai Bridge - - -	231,498 18 0.	Nil.	231,498 18 0

2. LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

—	Amount advanced.	Amount repaid.	Amount outstanding.
	£	£ s. d.	£ s. d.
(1.) Parsontown and Portumna Railway Bridge.	12,450	Nil.	12,450 0 0
(2.) Carlingford Lough - -	80,000	834 0 0	79,166 0 0
(3.) Rosslare Harbour - -	75,000	Nil.	75,000 0 0
(4.) Pulteney (Wick) Harbour -	62,000	4,178 6 10	57,821 13 2
(5.) St. Ives Harbour - -	4,000	2,200 0 0	1,800 0 0
(6.) Anstruther Harbour -	16,500	Nil.	16,500 0 0
(7.) Maldon Harbour - -	10,000	712 10 0	9,287 10 0
(8.) Rosehearty Harbour - -	6,000	1,832 19 5	4,167 0 7
(9.) Ulster Canal - -	120,000	Nil.	120,000 0 0
	385,950	9,757 16 3	376,192 3 9

3. LOANS BY THE COMMISSIONERS OF PUBLIC WORKS, IRELAND.

—	Amount advanced.	Amount repaid.	Amount outstanding.
Inland Navigation.	£	£ s. d.	£ s. d.
(1.) Limerick Navigation (1 & 2 Will. 4. c. 33.)	15,200	5,531 5 0	9,668 15 0
(2.) Ulster Canal (1 & 2 Will. 4. c. 33.)	10,000	Nil.	10,000 0 0
Improvement of Land.			
(3.) Loans to leaseholders who qualified as proprietors under s. 6 of 10 Vict. c. 32, &c.:—			
W. S. and E. Purdon - -	800	359 3 4	440 16 8
Ditto - - -	1,500	416 9 10	1,083 10 2
Richard Pierce - -	260	12 15 11	247 4 1
Ditto - - -	75	2 5 3	72 14 9
Robert Exham - - -	280	59 14 1	220 5 11
Richard Kirk - - -	500	201 16 11	298 3 1
James Budd - - -	2,500	109 19 7	2,390 0 5
Ditto - - -	1,485	4 11 3	1,480 8 9
	32,600	6,698 1 2	25,901 18 10

SUMMARY.

	Amount advanced.	Amount repaid.	Amount outstanding.
	£ s. d.	£ s. d.	£ s. d.
(1.) Loans by the Treasury -	231,498 18 0	Nil.	231,498 18 0
(2.) Loans by the Public Works Loan Commissioners.	385,950 0 0	9,757 16 3	376,192 3 9
(3.) Loans by the Commissioners of Public Works, Ireland.	32,600 0 0	6,698 1 2	25,901 18 10
Total - -	650,048 18 0	16,455 17 5	633,593 0 7

CHAPTER 38.

An Act to provide for the earlier closing of premises licensed for the sale of Exciseable Liquors in Scotland.

[16th September 1887.]

WHEREAS it is desirable that an earlier hour than eleven o'clock at night should be fixed for the closing of premises licensed for the sale of exciseable liquors in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited as the Public-houses, Hours of Closing (Scotland) Act, 1887.

Definitions.

2. "Licensing (Scotland) Acts" shall for the purposes of this Act mean and include an Act passed in the ninth year of His Majesty George the Fourth, chapter fifty-eight, intituled "An Act "to regulate the granting of certificates, by justices of the peace "and magistrates, authorising persons to keep common inns, ale-"houses, and victualling houses in Scotland, in which ale, beer, "spirits, wine, and other exciseable liquors may be sold by retail "under excise licenses; and for the better regulation of such "houses; and for the prevention of such houses being kept without "such certificate;" an Act passed in the sixteenth and seventeenth years of the reign of Her present Majesty, chapter sixty-seven, intituled "An Act for the better regulation of public-houses in Scotland;" the Public-houses (Scotland) Acts Amendment Act, 1862; the Publicans' Certificates (Scotland) Act, 1876, this Act, and any Act amending the same.

9 G. 4. c. 58.

16 & 17 Vict. c. 67.

25 & 26 Vict. c. 35.

39 & 40 Vict. c. 26.

"Special permission" shall mean a special permission, in writing, granted in the terms of section six of the Act twenty-five and twenty-six Victoria, chapter thirty-five, to keep open an inn and hotel, or public-house, place or premises, and to sell therein exciseable liquors beyond the hour prescribed by a certificate for closing.

"Certificate" shall mean any certificate in the terms of the Public-houses (Scotland) Acts Amendment Act, 1862, or of this Act.

Commencement of Act.

3. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-eight, which date is in this Act referred to as the commencement of this Act.

Alteration of certificate forms.

4. After the commencement of this Act:

Inns and hotels.

(*a.*) The form of certificate for inns and hotels set forth in Schedule A. of the Public-houses (Scotland) Acts Amendment Act, 1862, shall be amended as follows: The words "and "do not keep open house, or permit or suffer any drinking "on any part of the premises belonging thereto, or sell or "give out therefrom any liquors, before eight of the clock in "the morning, or after eleven of the clock at night, of any "day, with the exception of refreshment to travellers or to "persons requiring to lodge in the said house or premises;" shall be omitted from the said certificate, and there shall be inserted in the said certificate in the place thereof these words: "and do not keep open house, or permit or suffer "any drinking on any part of the premises belonging thereto, "or sell or give out therefrom any liquors, before eight of "the clock in the morning, or after such hour at night of any "day not earlier than ten and not later than eleven as the "licensing authority may direct, with the exception of re-"freshment to travellers or to persons requiring to lodge in "the said house or premises."

Public-houses.

(*b.*) The form of certificate for public-houses set forth in Schedule A. of the Public-houses (Scotland) Acts Amendment Act, 1862, shall be amended as follows: The words "and do not "keep open house, or permit or suffer any drinking in any "part of the premises belonging thereto, or sell or give out "therefrom any liquors, before eight of the clock in the "morning, or after eleven o'clock at night, of any day;" shall be omitted from the said certificate, and there shall be inserted in the said certificate in the place thereof these words: "and "do not keep open house, or permit or suffer any drinking in "any part of the premises belonging thereto, or sell or give "out therefrom any liquors, before eight of the clock in the "morning, or after such hour at night of any day not earlier "than ten and not later than eleven as the licensing authority "may direct."

Grocers, &c.

(*c.*) The form of "certificate for dealers in exciseable liquors, and "grocers, and provision dealers trading in exciseable liquors," set forth in Schedule A. of the Public Houses (Scotland) Acts Amendment Act, 1862, and of certificates for table beer licences granted under the seventeenth section of the Publicans' Certificates (Scotland) Act, 1876, shall be amended as follows: The words "and do not traffic or give out therefrom any liquors "before eight of the clock in the morning, or after eleven of "the clock at night, of any day;" shall be omitted from the said certificate, and there shall be inserted in the said certificate in the place thereof these words: "and do not traffic in or give

" out therefrom any liquors before eight of the clock in the " morning, or after such hour at night of any day not earlier " than ten and not later than eleven as the licensing authority " may direct."

Saving for travellers.

5. After the commencement of this Act every new certificate granted, and every existing certificate renewed or transferred, shall be amended as provided in this Act: Provided always, that nothing in this Act shall alter the existing law relating to travellers or persons requiring to lodge in an inn or hotel.

Offences and penalties.

6. Any person holding a licence for the sale of exciseable liquors in respect of any premises in Scotland, who shall after the commencement of this Act contravene the terms of the certificate granted him under this Act shall be deemed guilty of an offence against this Act, and the penalties and forfeitures provided by the Licensing (Scotland) Acts, or any of them, for breaches of or offences against the terms, provisions, and conditions of certificates shall apply to breaches of or offences against the terms, provisions, and conditions of certificates granted under this Act.

Saving for special permissions.

7. Nothing contained in this Act shall affect the provisions of the sixth section of the Act twenty-five and twenty-six Victoria, chapter thirty-five, respecting the granting of special permissions.

Definition of licensing authority.

8. In this Act the words "the licensing authority" shall mean the magistrates of a burgh and the justices of the peace of a county in quarter sessions assembled within their districts of jurisdiction respectively.

Construction of Act.

9. This Act shall be construed as one with the Public-houses (Scotland) Acts Amendment Act, 1862.

Extent of Act.

10. This Act shall apply to Scotland only, and shall not apply to any burgh, town, or populous place containing fifty thousand inhabitants and upwards.

SCHEDULE.

BURGHS, &c. containing FIFTY THOUSAND INHABITANTS and upwards.

Edinburgh.
Glasgow, including Crosshill.
Kinning Park.
Pollock Shiels.
Pollock Shiels, East.
Govan.
Govan Hill.
Hillhead.
Maryhill.
Partick.
Greenock.
Leith.
Aberdeen.
Dundee.
Paisley.

CHAPTER 39.

An Act to make provision for altering and varying Lunacy Districts in Scotland. [16th September 1887.]

WHEREAS by the operation of the Prisons, Scotland, Act, 1877, prison boards in counties have ceased to exist, and there is no existing authority having the power to make application for altering or varying lunacy districts in Scotland under the forty-ninth section of the Lunatics (Scotland) Act, 1857: 40 & 41 Vict. c. 53. 20 & 21 Vict. c. 71.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

General board may alter or vary districts subject to sanction of Secretary for Scotland.

1. The general board of Commissioners in Lunacy for Scotland shall have the power, on the application of the commissioners of supply of any county interested, or the magistrates of any burgh interested, or the parochial board of any parish or combination interested, to alter or vary the said districts, either by combining counties or parts of counties, or dividing counties or parts of counties, or otherwise, as they may think fit; and the said general board shall have power to make and issue all such regulations as they may consider necessary, in consequence of any such alteration or variation of districts, in regard to the election and electors, the appointment, the number of the members, and times and places of meeting of district boards of lunacy, the apportionment and remitting of the expenses of and connected with district boards or district asylums, and in regard to all other matters arising out of or connected with the alteration or variation of districts, and where any such altered or varied district shall consist of one parish only or combination may, if they think fit, appoint the parochial board of such parish to be the district board of such district: Provided always, that no exercise by the said board of any of the powers conferred by this section shall have force or effect until the same shall have received the sanction of the Secretary for Scotland. In fixing the number of members of a district board to be elected by the commissioners of supply and magistrates of burghs respectively within a lunacy district, the said General Board shall not take into account the valuations of any part of a district that may be exempted from payment of assessments under the second above-recited Act.

Liability of new districts for proportion of debts, &c. of old district. In case of difference decision of general board to be final.

2. The district boards of districts formed by the alteration of a district or districts, shall jointly and severally be liable for all debts and obligations of the district board or boards of the district or districts out of which they are formed, and such district boards shall on separation forthwith proceed jointly to arrange the proportion of such debts and obligations to be borne by each, and for the discharge of all such debts and obligations as they may think fit, and shall also forthwith proceed to arrange for, and are hereby empowered to arrange for jointly, and to carry out the sale, division, or disposal otherwise of all heritable and movable property belonging to the district board or boards of the district or

districts out of which they are formed; and in the event of a difference arising as to the proportion of such debts and obligations to be borne by each district board, or as to the amount or value of such heritable or movable property to be assigned to each, such difference shall be referred to the general board, whose decision shall be final: Provided always, that where a county or parish has total relief from assessment under section ten of the Lunacy (Scotland) Act, 1862, this section shall not apply to a district formed of such county or parish.

25 & 26 Vict. c. 54.

Disposal of moneys possessed by districts if dissolved by 25 & 26 Vict. c. 54. s. 12.

3. If in any district formed under the provisions of this Act there shall be no district asylum, and the circumstances of the district are such as to make it expedient that the district board of such district shall dissolve itself under the provisions of section twelve of the Act of the twenty-fifth and twenty-sixth Victoria, chapter fifty-four, and if such district board shall at the time of its proposed dissolution be possessed of means, it shall previous to dissolution pay over, under deduction of all liabilities and expenses, all moneys possessed by it, and the proceeds of all property sold by it, to the commissioners of supply and magistrates of burghs, by whom were laid on and collected the assessments from which such moneys or proceeds were derived, and the amount so paid over shall be applied in reduction of the county general assessments leviable within such district, and in reduction of any assessment leviable within such district in any burgh, and payable one-half by the owner and one-half by the tenant or occupier of the lands and heritages within such burgh, and if there be no such assessment, then in reduction of any other assessment in such burgh.

Power in certain cases to contract with existing asylum before erecting new asylum.

4. If there shall be in any district existing at the passing of this Act any established asylum to which the provisions of section fifty-nine of the Act of the twentieth and twenty-first Victoria, chapter seventy-one, are applicable, the district board of each of the separate districts into which such existing district may be hereafter divided shall, before proceeding to erect any district asylum, offer to contract with the proprietors or parties interested in such established asylum in terms and under the provisions of the said section.

Statutory provisions relating to district boards applicable to boards elected under this Act.

5. All statutory provisions relating to district boards, and their powers, duties, and obligations, and to the district asylums under their management, shall (so far as they are consistent with the provisions of this Act) be applicable in all respects to district boards elected or appointed in virtue of powers conferred by this Act, and to asylums under their management, and all assessments authorised to be raised and levied for lunacy purposes shall be collected and recovered in like manner and under like powers as are applicable to the collection and recovery of the land, assessed, and other public taxes or burgh assessments.

Short title.

20 & 21 Vict. c. 71.

6. This Act may be cited as the Lunacy Districts (Scotland) Act, 1887, and shall be construed with the Act of 1857, and any Acts amending the same, as one Act.

CHAPTER 40.

An Act to amend the Acts relating to Savings Banks and to the Purchase of Small Government Annuities, and to assuring Payments of Money after Death.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Post Office Savings Banks.

Extension of power of Postmaster-General to make regulations for post office savings banks. 24 & 25 Vict. c. 14. 26 & 27 Vict. c. 87. 46 & 47 Vict. c. 47.

1. Whereas the Post Office Savings Banks Act, 1861, declared that the enactments then in force relating to trustee savings banks, as to matters for which no other provision was made by that Act, should be deemed applicable to that Act, so far as such enactments were not repugnant to that Act, and the enactments so applied included those mentioned in the third column of the First Schedule to this Act, and the enactments mentioned in that schedule, which were in force in 1863, were, so far as regards trustee savings banks, repealed and consolidated by the Trustee Savings Banks Act, 1863, and were amended by the Provident Nominations and Small Intestacies Act, 1883:

And whereas under section eleven of the Post Office Savings Banks Act, 1861, and subsequent Acts relating to post office savings banks, the Postmaster-General, with the consent of the Treasury, has power to make regulations with respect to the making of deposits in post office savings banks, and matters incidental to the carrying of the said Acts into execution, and for the other purposes in the said Acts mentioned:

And whereas it is expedient to extend the power of the Postmaster-General with respect to the said regulations: Be it therefore enacted as follows:—

(1.) The regulations made by the Postmaster-General with the consent of the Treasury in pursuance of the Post Office Savings Banks Act, 1861, and of other Acts relating to post office savings banks, may provide—

(*a.*) for the payment or transfer of sums in any post office savings bank which belong to persons appearing to be minors or of unsound mind, or form part of the personal estate of any person appearing to be deceased, and

(*b.*) for the transfer of deposits from one account to another account, whether an existing or a new account, and

(*c.*) for determining the evidence to be accepted by the Postmaster-General of any matter for the purpose of the payment or transfer of any sum, and

(*d.*) for determining the receipts which are to be a good discharge to the Postmaster-General in the case of the payment or transfer of any sum, and

(*e.*) for applying to post office savings banks all or any of the enactments of the Trustee Savings Banks Act, 1863, either without modification or with such modification as may seem necessary or proper for the better execution of the Post Office Savings Banks Act, 1861, and subsequent Acts relating to post office savings banks.

26 & 27 Vict. c. 87.

(2.) Provided that such regulations shall prohibit a person from being a depositor in both a trustee and a post office savings bank, or from having two separate accounts in the post office savings bank, and shall require such declaration from a depositor as may be necessary for preventing his having such two accounts, and shall provide for the forfeiture, under the conditions specified in the regulations, of money due to the depositor in the event of such declaration being false.

Regulations for trustee savings banks.

2. The Treasury shall from time to time make, revoke, alter, or add to regulations for the purpose of extending to trustee savings banks any regulations made in pursuance of this Act with respect to post office savings banks so far as those regulations provide—

(*a.*) for the payment or transfer of sums which belong to persons appearing to be minors or of unsound mind, or form part of the personal estate of any person appearing to be deceased; or

(*b.*) for the transfer of deposits from one account to another account, whether an existing or a new account; or

(*c.*) for determining the evidence to be accepted of any matter for the purpose of the payment or transfer of any sum; or

(*d.*) for determining the receipts which are to be a good discharge in the case of the payment or transfer of any sum.

Regulations as to deposit of deceased depositor.

3.—(1.) The regulations made in pursuance of this Act may also provide—

(*a.*) for the nomination by a depositor not being under sixteen years of age of any person or persons to whom any sum or sums not exceeding in the aggregate one hundred pounds payable to such depositor at his decease (including any portion of any annuity or accrued interest payable to the representatives of such depositor) is or are to be paid at such decease, and

(*b.*) for the revocation of such nomination and for the payment of the specified amount to any nominee so nominated, and

(*c.*) for the effect and construction of such nomination in the event of the sums due to the depositor exceeding one hundred pounds, and may provide for it taking effect as respects an amount or amounts not exceeding one hundred pounds in like manner as if it were a will of the deceased duly executed, and that notwithstanding want of due execution, minority, or marriage.

(2.) Where the sum in a savings bank which forms part of the personal estate of a person appearing to be deceased does not

exceed one hundred pounds, then, if the regulations under this Act so provide, and subject to such regulations, probate, or other proof of the title of the personal representative of the deceased person may be dispensed with, and such sum may be paid or distributed to or among the persons appearing in manner provided by the said regulations to be beneficially entitled to the personal estate of such deceased person, whether under such nomination of the deceased person as is allowed by the regulations, or by law, or as next of kin, or as creditors, or otherwise, or to or among any one or more of such persons, exclusively of the others, or in case of any illegitimacy of the deceased person or his children, to or among such person or persons as may be directed by the said regulations, and the person making such payment shall be discharged from all liability in respect of the sum paid in accordance with the said regulations.

Laying of regulations before Parliament.

4. The draft of all regulations proposed to be made in pursuance of this Act shall be laid before both Houses of Parliament for not less than forty days before they are made, and all such regulations when made shall come into operation at the time therein mentioned, and shall be binding on all persons as if they were enacted in this Act.

Amendment of 43 & 44 Vict. c. 36. as to minimum sum of stock to be invested.

5. The minimum amount of Government stock in which a deposit may be invested in pursuance of the Savings Banks Act, 1880, shall be such amount as may be from time to time fixed by regulations made in pursuance of that Act, and the amount so fixed for the time being shall be substituted for ten pounds stock or stock of the value of ten pounds, wherever reference is made to that amount of stock in the said Act and Acts amending the same.

Exception of money invested in computing annual maximum.

6. When any sums not deposited for immediate investment are invested by any savings bank authority, on the request of the depositor, in any Government stock, any sums previously deposited in the same savings bank year by such depositor shall not, except so far as they exceed in the aggregate the sums invested in that year, be reckoned in computing the maximum amount which is allowed to be deposited in that year.

Amendment of 43 & 44 Vict. c. 36., as to investments for lunatics and minors.

7. Regulations made under the Savings Banks Act, 1880, may provide for the investment in Government stock in accordance with that Act of sums standing to the account of a depositor who is a minor or a lunatic.

Construction of part of Act. 45 & 46 Vict. c. 51.

8.—(1.) Expressions in this part of this Act shall have the same meaning as they have in the Savings Banks Act, 1880.

(2.) So much of any enactment of the Savings Banks Act, 1880, and of the Government Annuities Act, 1882, and of any other enactment as applies for the purposes of such enactment or Act the enactments relating to savings banks, and the regulations made in pursuance of those enactments, shall be deemed to apply for the same purposes this part of this Act, and save as otherwise provided by regulations under this part of this Act, shall be deemed also to apply for the same purposes those regulations.

PART II.

Government Annuities.

Amendment of 45 & 46 Vict. c. 51. s. 8., as to insurance on life of third person. 27 & 28 Vict. c. 43.

9. Notwithstanding anything in section eight of the Government Annuities Act, 1882, a savings bank annuity depending on the life of any person may, under such circumstances as are permitted by the regulations made under the Government Annuities Act, 1864, as amended by the above-mentioned Act, be granted to any other person, and when so granted may be transferred, so however, that the amount of annuity or annuities granted on the life of any person do not exceed in the whole the amount of any annuity which could have been granted to such person.

PART III.

Supplemental.

Price of certificate of birth, death, or marriage.

10. For the purpose of the Acts relating to Post Office Savings Banks or to trustee savings banks, and of the Government Annuities Acts, 1829 to 1882, a certificate of the birth or death or marriage of any depositor, or of any person insured under any of the above-mentioned Acts, shall be given under his hand by a registrar of births and deaths or marriages, or other person having the care of the register in which such birth or death or marriage is entered for a sum not exceeding one shilling in place of all fees or payments in respect of the same, on application being made for the same in such form and under such regulations as may be from time to time approved of by the Registrar-General of Births, Deaths, and Marriages for England, Scotland, and Ireland respectively.

Repeal.

11. The Acts mentioned in the First Schedule to this Act shall, to the extent in the third column of that Schedule mentioned, be repealed as from the date at which any regulations with respect to post office savings banks made in pursuance of Part One of this Act come into operation;

Provided that the repeal by this section shall not affect anything previously done or suffered in pursuance of any enactment hereby repealed.

The Acts mentioned in the Second Schedule to this Act shall, to the extent in the third column of that schedule mentioned, be repealed as from the date at which any regulations with respect to trustee savings banks made in pursuance of Part One of this Act come into operation.

Short title.

12. This Act may be cited as the Savings Banks Act, 1887.

The following Acts and enactments, that is to say:—

24 & 25 Vict. c. 14.

(*a.*) The Post Office Savings Banks Act, 1861;

(*b.*) The enactments applied by that Act which are for the time being in force;

26 & 27 Vict. c. 14.

(*c.*) Section one of the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter fourteen, intituled "An Act to amend the law relating to Post Office Savings Banks;"

37 & 38 Vict. c. 73.

(*d.*) The Post Office Savings Banks Act, 1874;

(*e.*) The Savings Banks Act, 1880, so far as it relates to post office savings banks; and 43 & 44 Vict. c. 36.

(*f.*) Parts One and Three of this Act,

may be cited together as the Post Office Savings Bank Acts, 1861 to 1887.

The Government Annuities Acts, 1829 to 1882, and Parts Two and Three of this Act, may be cited together as the Government Annuities Acts, 1829 to 1887. 10 Geo. 4. c. 24. 45 & 46 Vict. c. 51.

13. The Post Office Savings Bank Acts, 1861 to 1887, and the Government Annuities Acts, 1829 to 1887, shall extend to the Channel Islands and the Isle of Man, and the Royal Courts of the Channel Islands shall register the same. Extension of Acts to Channel Islands.

THE FIRST SCHEDULE.

ENACTMENTS RELATING TO POST OFFICE SAVINGS BANKS REFERRED TO AND REPEALED. Section 11.

Session and Chapter.	Title.	Enactment referred to and repealed.
9 Geo. 4. c. 92.	An Act to consolidate and amend the laws relating to savings banks.	Section twenty-five (savings of minors may be invested). Section twenty-nine (receipt of treasurer, &c. of friendly society or charitable institution deemed sufficient). Section thirty-two (no sum to be subscribed without name and profession of the depositor). Section thirty-three (persons allowed to subscribe as trustees on behalf of others). Section thirty-four (subscribers to one savings bank shall not subscribe to any other, and declaration to be made, and penalty for false declaration). Section forty (payment on death of depositor). Section forty-one (exemption from stamp duty and distribution of effects where under fifty pounds). Section forty-two (payment to persons appearing to be next-of-kin). Section forty-three (payment under probate). Section forty-four (exemption of powers of attorney from stamp duty).

Session and Chapter.	Title.	Enactment referred to and repealed.
5 & 6 Will. 4. c. 57.	An Act to extend to Scotland certain provisions of an Act of the ninth year of His late Majesty, to consolidate and amend the laws relating to savings banks, and to consolidate and amend the laws relating to savings banks in Scotland.	Section four (application of the law of Scotland as regards payment to relations of deceased depositor).
7 & 8 Vict. c. 83.	An Act to amend the laws relating to savings banks, and to the purchase of Government annuities through the medium of savings banks.	Section three (declaration by depositors on first deposit). Section five (production of book by depositor). Section seven (trust accounts). Section ten (payment of deposit of deceased depositor when not exceeding fifty pounds). Section eleven (payment of deposit of deceased depositor being illegitimate and intestate). Section twenty (application to Scotland of provisions respecting probate).
46 & 47 Vict. c. 47.	The Provident Nominations and Small Intestacies Act, 1883.	Section three, so far as it relates to post office savings banks (raising of fifty pounds to one hundred pounds). Section four, so far as it relates to post office savings banks (printing of nominations). Section five, so far as it relates to depositors in post office savings banks (nominating person to receive deposit not exceeding one hundred pounds). Section ten, so far as it relates to post office savings banks (provisions relating to legacy and probate duty). Section eleven, so far as it relates to post office savings banks (application to Channel Islands and Isle of Man).

THE SECOND SCHEDULE.

Section 11.

ENACTMENTS RELATING TO TRUSTEE SAVINGS BANKS REFERRED TO AND REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
26 & 27 Vict. c. 87. -	The Trustee Savings Banks Act, 1863.	Sections forty-three, forty-four, forty-five, and forty-six.
46 & 47 Vict. c. 47. -	The Provident Nominations and Small Intestacies Act, 1883.	Section three, so far as it relates to trustee savings banks (raising of fifty pounds to one hundred pounds). Section four, so far as it relates to trustee savings banks (printing of nominations). Section five, so far as it relates to depositors in trustee savings banks (nominating person to receive deposit not exceeding one hundred pounds). Section ten, so far as it relates to trustee savings banks (provisions relating to Legacy and Probate Duty). Section eleven, so far as it relates to trustee savings banks (application to Channel Islands and Isle of Man).

CHAPTER 41.

An Act to remove doubts as to the appointment of the Sheriff of Lanarkshire, and to confirm the same.

[16th September 1887.]

WHEREAS Robert Berry, Esquire, Advocate and Barrister-at-Law, was appointed to the office of sheriff of the county of Lanark by Royal Warrant on the fourth day of December one thousand eight hundred and eighty-six, and has since fulfilled the duties of that office, and doubts have arisen as to his appointment having been in conformity with the Act first and second Victoria, chapter one hundred and nineteen, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment of sheriff confirmed.

1. The appointment of the said Robert Berry shall be and is hereby confirmed as at the said date, and nothing in the Act first and second Victoria, chapter one hundred and nineteen, contained shall be held to invalidate the said appointment, or anything done by the said Robert Berry in virtue thereof.

CHAPTER 42.

An Act to amend and consolidate the Public Libraries (Scotland) Acts. [16th September 1887.]

WHEREAS it is expedient to amend and consolidate the Public Libraries (Scotland) Acts, 1867 to 1884:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Public Libraries Consolidation (Scotland) Act, 1887, and shall apply to Scotland only.

Definitions.

2. The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; that is to say,

"Burgh" shall include royal burgh, parliamentary burgh, burgh incorporated by Act of Parliament, burgh of regality, burgh of barony, and any populous place or police burgh administered wholly or partly under any general or local police Act, and the boundaries of such burgh shall, for the purposes of this Act, be the boundaries to which such general or local police Act extends:

"Parish" shall mean a parish for which a separate poor rate is or can be imposed, or for which a separate parochial board is or can be appointed, and shall be exclusive of the area of any burgh or part of a burgh situated therein:

"Householders" shall mean, in the case of a burgh, all persons whose names are entered on the municipal register, and in the case of a parish, all persons entitled to vote in the election of a school board in such parish, under the provisions of the Education (Scotland) Act, 1872, and any Act amending the same:

35 & 36 Vict. c. 62.

"Magistrates and council" shall be applied collectively, and not separately, and shall include provost, magistrates, and town council, magistrates and commissioners of police, and any other body of persons for the time being in office, by authority of whom the burgh general assessment is levied; and where in any burgh the magistrates and council form a corporate body, and there is also in the same burgh a board of commissioners of police by whom the burgh general assessment is levied, the words "magistrates and council" shall, as regards the levying and recovering of the library rate, apply to such commissioners of police, but in every other respect it shall apply to such corporate body of magistrates and council:

"Chief magistrate" shall include provost, and shall apply to any magistrate legally acting as chief magistrate for the time being:

"Board" shall mean the parochial board acting under the Act eighth and ninth Victoria, chapter eighty-three, and any Act amending the same: 8 & 9 Vict. c. 83.

"Committee" shall mean the committee appointed under any Public Libraries Act affecting Scotland for the time being, or this Act:

"Municipal register" shall mean the register, list, or roll of persons entitled to vote in an election of town councillors or commissioners of police, in a burgh, made up according to the law in force for the time being:

"Burgh general assessment" shall mean an assessment which, under any general or local police Act, shall be applicable to the general purposes of such Act:

"Library rate" shall mean the rate or assessment authorised by this Act for the purpose of carrying the Act into execution:

"Libraries and museums" and "libraries or museums" shall include schools for science, art galleries, and schools for art, and these expressions, or either of them, when used in the singular, shall include a school for science, an art gallery, and a school for art:

Words importing the masculine gender shall, when applied to householders, include female householders.

Repeal.

3. The Public Libraries (Scotland) Acts, 1867 to 1884, so far as the same relate to Scotland, are hereby repealed; but such repeal shall not invalidate or affect anything already done in pursuance of these Acts, or any of them, and all burghs and parishes in Scotland which before the passing of this Act have adopted the recited Acts shall thereafter be subject to the provisions of this Act: Provided always, that nothing in this Act contained shall prejudice or affect the provisions of the Edinburgh Public Library Assessment Act, 1887. 30 & 31 Vict. c. 37.; 34 & 35 Vict. c. 59., 40 & 41 Vict. c. 54., 47 & 48 Vict. c. 37. 50 & 51 Vict. c. lxxxv.

Adoption of Act.

4. Upon the requisition in writing of the magistrates and council of any burgh, or of ten or more householders in any burgh or parish, the chief magistrate of such burgh, or in the case of a parish, the sheriff of the county in which such parish or the greater part of the area thereof is situated, shall ascertain the opinions of the householders in such burgh or parish as to the adoption of this Act in the manner set forth in Schedules (A.) or (B.) hereto annexed, which schedules shall be construed and have effect as part of this Act, provided that where in any burgh the number of householders exceeds three thousand, the chief magistrate shall adopt the procedure, by way of voting paper, set forth in Schedule (A.), but in any other case it shall be optional to the chief magistrate or to the sheriff, as the case may be, to adopt such procedure by way of voting paper, or the procedure by way of public meeting, set forth in Schedule (B.).

If not adopted, no similar

5. In the event of the householders determining by a majority of votes that this Act shall be adopted in any burgh or parish, the

procedure for two years.

same shall from thenceforth come into operation therein; but if by a majority of votes they shall determine against the adoption, the like procedure shall not take place for the space of at least two years from the date of such determination.

Expenses of determining as to adoption.

6. The expenses of the procedure for determining as to the adoption of this Act shall, if the Act be not adopted, be paid, in the case of a burgh, out of the burgh general assessment, and in the case of a parish, out of the assessment for the relief of the poor in such parish, or where there is no such assessment, by a rate which the board are hereby empowered to levy and recover for this purpose, in the same manner and subject to the same conditions as are applicable to the library rate; but if the Act shall have been adopted the expenses of the procedure under which it has been adopted shall be payable out of the library rate, and it shall be in the power of the chief magistrate or of the sheriff, as the case may be, immediately upon the adoption of the Act to borrow such sum or sums as may be necessary to defray such expenses on the security of the library rate to be afterwards levied.

Expenses of carrying Act into execution.

7. The expenses of carrying this Act into execution, when adopted, including all sums payable in respect of interest and sinking fund for money authorised to be borrowed, and all sums necessary for the maintenance and management of the libraries and museums established under this Act, or to which this Act applies, or for the purchase of the articles and things authorised by this Act to be purchased, shall be paid out of the library rate, which shall be levied and recovered, in the case of a burgh, by the magistrates and council, from the same description of persons and property, and with and under the like powers, provisions, and exceptions as the burgh general assessment, and in the case of a parish by the board, from the same description of persons and property, and with and under the like powers, provisions, and exceptions as the assessment leviable under the Act eighth and ninth Victoria, chapter eighty-three.

Rate not to exceed one penny per pound.

8. The amount of the library rate to be levied in any year shall in no case exceed the sum of one penny in the pound of yearly rent or annual value as appearing on the valuation roll, and where, under the provisions of any general or local police Act, the burgh general assessment is or may be levied at a higher rate upon lands or premises above a certain fixed rent than upon lower rented lands or premises, such provisions, so far as they authorise such differential rate, shall not be applicable to or affect the library rate.

Accounts to be open to inspection, and to be audited and published annually.

9. The magistrates and council of a burgh, or the board of a parish, as the case may be, shall provide and keep books in which shall be entered true and regular accounts of their receipts, payments, and liabilities with reference to the execution of this Act, which books shall, at all reasonable times, be open, without fee or reward, to the inspection of every person liable to be assessed for the library rate; and the magistrates and council or board, as the case may be, shall cause such accounts to be annually audited by one or more competent auditors, not being members of the committee, after which audit the accounts shall be signed by two of

the magistrates and council, or two members of the board, as the case may be, and an abstract thereof similarly signed shall be printed and shall be inserted in one or more newspapers published or circulated in the burgh or parish.

Lands, &c. may be appropriated, purchased, or rented.

10. The magistrates and council or board, as the case may be, may from time to time appropriate, for the purposes of this Act, any lands or buildings vested in them, and may, out of the library rate, or out of money borrowed as herein provided, purchase, feu, or rent any land, or any suitable building; and may, upon the land so appropriated, rented, feued, or purchased, erect any building suitable for public libraries, public museums, schools for science, art galleries, and schools for art, or for any one or more of those objects, and may alter or extend any buildings for such purposes, and repair and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite furniture, fittings, and conveniences.

Parts of 8 & 9 Vict. c. 19. incorporated.

11. The clauses and provisions of the Lands Clauses Consolidation (Scotland) Act, 1845, with respect to the purchase of lands by agreement, and with respect to the purchase money or compensation coming to parties having limited interests, or prevented from treating or not making title, and with respect to conveyances of lands, so far as such clauses and provisions are applicable to purchases, feus, or leases authorised by this Act, and are not herein expressly varied, shall be incorporated with this Act; and the expression "the special Act" used in such clauses and provisions shall be construed to mean this Act; and the expression "the promoters of the undertaking" used in such clauses and provisions shall be construed to mean the magistrates and council, or the board, as the case may be.

Lands, &c. may be sold or exchanged.

12. The magistrates and council, or the board, as the case may be, may sell any lands, buildings, or other property vested in them for the purposes of this Act, or exchange the same for any lands, buildings, or other property better adapted for such purposes, and the money arising from such sale, and the property received in exchange, shall be applied and held for the purposes of this Act.

Lands, &c. vested in magistrates, &c., and boards.

13. The lands and buildings so to be appropriated, purchased, or rented, and all other real or personal property whatever, presented to or purchased for any library or museum established under this Act or to which this Act applies, shall in the case of a burgh be vested in the magistrates and council, and in the case of a parish in the board.

Powers of borrowing.

14. The magistrates and council, or the board, as the case may be, may from time to time borrow at interest on mortgage or bond on the security of the rate to be levied in pursuance of this Act, for the purposes thereof, a sum or sums of money not exceeding the capital sum represented by one-fourth part of the library rate, authorised by this Act, capitalised at the rate of twenty years purchase of such sum; and on repayment of such sum or sums, or any part thereof, they may from time to time re-borrow in manner and for the purposes aforesaid, but so that the whole sum borrowed at any one time shall not exceed the amount of the said capital sum

after deducting therefrom any sums set apart as a sinking fund as herein-after provided.

Sinking fund.

15. The magistrates and council, or the board, as the case may be, are hereby required to set apart annually, as a sinking fund for the extinction of capital sums, borrowed under the authority of any library Act in force for the time being, or of this Act, a sum equal to at least one-fiftieth part of the money so borrowed, and such sinking fund shall be from time to time applied in repayment of the money so borrowed, and to no other purpose whatever, and shall be lodged in a joint stock bank of issue in Scotland, or invested in Government securities, or lent out at interest in the name and at the discretion of the magistrates and council, or the board, as the case may be, until the same be applied for the purpose before specified.

Parts of 10 & 11 Vict c. 16. incorporated.

16. The clauses and provisions of the Commissioners Clauses Act, 1847, with respect to the liabilities of the commissioners, and to legal proceedings by or against the commissioners, and with respect to mortgages to be executed by the commissioners, excepting sections eighty-four, eighty-six, and eighty-seven, shall, unless herein expressly varied, be incorporated with this Act, and the several words and expressions, to which by the last recited Act meanings are assigned, shall in this Act have the same respective meanings, unless there be something in the subject or context repugnant to such construction; and the expression "the special Act" used in such clauses and provisions herewith incorporated shall mean this Act; and the expression "the commissioners" shall mean the magistrates and council or board and the committee in the discharge of their respective duties under this Act.

Power to accept parliamentary grant under conditions.

17. When the magistrates and council, or board, as the case may be, accept a grant out of moneys provided by Parliament, from any Committee of the Privy Council on Education, towards the purchase of the site, or the erection, enlargement, or repair of any school for science and art, or school for science, or school for art, or of the residence of any teacher in such school, or towards the furnishing of any such school, they shall have power to accept such grant upon the conditions prescribed for the acceptance thereof by the said committee, and to execute such instruments as may be required by the said committee for carrying into effect such conditions, and upon payment of the grant shall, together with their successors, be bound by such conditions and instrument, and have power and be bound to fulfil and observe the same.

Committee to be appointed.

18. The magistrates and council of any burgh, or the board of any parish where this Act has been adopted shall, within one month after its adoption, and thereafter from year to year, in the case of a burgh, at the first meeting after the annual election of town councillors or commissioners of police, and in the case of a parish, at the first meeting after the annual meeting for the election of representative members of the parochial board, appoint a committee, consisting of not less than ten nor more than twenty members, half of whom shall be chosen from amongst the magistrates and council, or board, as the case may be and the remaining half from amongst the householders of the burgh or parish other than the

magistrates and council, or board, and three members of such committee shall form a quorum.

Appointments to vacancies in committee.

19. Any member of committee shall have power to resign office upon giving at least fourteen days previous notice to the clerk of the committee of his intention so to resign; and in the event of any vacancy occurring in the committee during their term of office by the resignation or death of any member, the committee shall forthwith cause the same to be intimated to the magistrates and council, or board, and the magistrates and council, or board, as the case may be, may at a meeting thereafter elect from among themselves, or from among the householders other than themselves, according to the class in which the vacancy has arisen, a member of committee in place of the member so resigning or dying, provided that no proceedings of the committee shall be invalidated or be illegal in consequence of a vacancy or vacancies in the number of the committee.

Meetings of committee, and appointment of chairman.

20. The committee appointed as aforesaid shall, in the case of a burgh, meet once in every three months, or oftener if necessary, and in the case of a parish, as often as may be necessary, to determine as to any business falling to be transacted by them, and shall appoint a chairman from among their own number, who shall hold office until next election of committee; and such chairman shall, in case of equality, have a casting vote in addition to his vote as an individual; provided that, in the event of a vacancy occurring in the office of chairman, the committee shall at their first meeting thereafter appoint a new chairman, and in the absence of the chairman of committee at any meeting, the meeting shall appoint a chairman for the time being, who at that meeting shall exercise the privileges of the chairman of committee.

Powers of committee.

21. The committee shall manage, regulate, and control all libraries and museums established under this Act, or to which this Act applies; and shall have power to do all things necessary for such management, including the following powers; that is to say,

To appoint sub-committees of their own number:

To appoint a salaried clerk, and salaried librarians, officers, and servants to act during the pleasure of the committee, and to pay and dismiss them:

To purchase books, newspapers, reviews, magazines, and other periodicals, statuary, pictures, engravings, maps, specimens of art and science, and such other articles and things as may be necessary for the establishment, increase, and use of the libraries and museums under their control, and to do all things necessary for keeping the same in a proper state of preservation and repair:

To provide from time to time the necessary fuel, lighting, and other matters:

To sell or exchange any books, works of art, or other property of which there may be duplicates, provided that the money arising from such sale, and the property received in exchange shall be applied and held for the purposes of this Act:

To provide suitable rooms in the libraries within which the books, periodicals, and newspapers may be read:

To lend out, for the purpose of being read by the householders and inhabitants of the burgh or parish in and for which the committee has been appointed, the books of any library under their control, or such of them as they may consider proper; and at their discretion to grant the same privilege to the inmates of industrial schools, training ships, reformatories, barracks, and other similar institutions established for or in the burgh or parish; and also to any person carrying on business within the limits of the burgh or parish, or to any employee engaged in employment therein, although such person or employee may not be a householder, and may not reside within such limits:

To compile and print catalogues of all or any books, articles, and things in the libraries or museums under their control, and reports of their proceedings, and to sell the same, the proceeds to be applied for the purposes of this Act.

Power to committee to make byelaws.

22. It shall be lawful for the committee to make byelaws for regulating all or any matters and things whatsoever connected with the control, management, protection, and use of any property, articles, or things under their control for the purposes of this Act, and to impose such penalties for breaches of such byelaws, not exceeding five pounds for each offence, as may be considered expedient; and from time to time, as they shall think fit, to repeal, alter, vary, or re-enact any such byelaws, provided always that such byelaws and alterations thereof shall not be repugnant to the law of Scotland, and before being acted on shall be signed by a quorum of the committee, and, except in so far as they relate solely to the officers or servants of the committee, such byelaws shall be approved of by the magistrates and council, or the board, as the case may be, and shall be approved of and confirmed by the sheriff of the county in which the burgh or parish, or the greater part of the area thereof, is situated: Provided also, that nothing herein contained shall preclude the magistrates and council, or board, as the case may be, from recovering the value of articles or things damaged, or the amount of the damage sustained, against all parties liable for the same.

Newspaper publication of byelaws before confirmation, and time and manner of stating objections.

23. No byelaws or alterations thereof requiring confirmation shall be confirmed, as before mentioned, unless notice of the intention to apply for confirmation of the same shall have been given in one or more newspapers published and circulated in the district one month at least before the hearing of the application for confirmation, and any party aggrieved by any such byelaws or alterations thereof, on giving notice of the nature of his objection to the clerk to the committee ten days before the hearing of the application for confirmation, may, by himself or his counsel, attorney, or agent, be heard thereon, but not so as to allow more than one party to be heard upon the same matter of objection.

Exhibition of byelaws previous to confirmation.

24. For one month at least before any such application for confirmation of any byelaws or alterations thereof, a copy of such proposed byelaws or alterations shall be kept at the office of the clerk to the committee, and shall also be put up in some conspicuous place in each of the libraries and museums of the committee, and all persons may, at all reasonable times, inspect such copy without

fee or reward; and the clerk to the committee shall furnish every person who shall apply for the same with a copy thereof, or of any part thereof, on payment of sixpence for every one hundred words so to be copied.

Printed copy of byelaws to be provided.

25. The clerk to the committee shall give a printed copy of the confirmed byelaws, for the time being in force, to every person applying for the same, without charge; and a copy thereof shall be painted or placed on boards, and put up in some conspicuous part of each of the libraries and museums of the committee, and such boards with the byelaws thereon shall be renewed from time to time as occasion shall require, and shall be open to inspection without fee or reward.

Byelaws when confirmed and published to be in force.

26. All byelaws or alterations thereof made and confirmed according to the provisions of this Act, when so published and put up, shall be binding upon and be observed by all parties, and shall be a sufficient warrant for all persons acting under the same.

Evidence of byelaws.

27. The production of a written or printed copy of the byelaws requiring confirmation as aforesaid, authenticated by the signature of the sheriff who shall have confirmed the same, and a written or printed copy of the byelaws not requiring such confirmation, authenticated by the common seal of the committee, and signed by the chairman of the committee at the time when the same were made, shall be evidence of the existence and making of such byelaws in all cases for prosecution under the same, without proof of the signature of such sheriff, or the common seal of the committee, or the signature of their chairman; and with respect to the proof of the publication of such byelaws it shall be sufficient to prove that a board containing a copy thereof was put up and continued in manner by this Act directed.

Recovery of penalties and forfeitures.

28. All penalties and forfeitures exigible under this Act, and the Acts incorporated wholly or partially herewith, or under any byelaw made in pursuance thereof, may be recovered by an ordinary small-debt action in the name of the clerk to the committee for the time being before either the sheriff or justices of the district; and the same shall be payable to the committee, and shall, when recovered, be applied by them for the purposes of this Act; and in any prosecution under this Act an excerpt from the books of the committee, certified by the clerk or other proper officer, shall be held equivalent to the books of the committee, and all entries in the books of the committee bearing that any book or books mentioned or referred to therein has or have been borrowed by the person complained against shall be taken and received as evidence of the fact, and the onus probandi shall be thrown on the party complained against, and if decree passes against such party, he shall be found liable in costs.

Actions by or against committee.

29. All actions at the instance of the committee shall be brought in name of the clerk to the committee, and in all actions against the committee, it shall be sufficient to call the clerk to the committee for the time being as defender, and service on him shall be sufficient service; and all actions brought by or against the clerk to the committee in his official character shall be continued by or against his successors in office without any action of transference.

Estimates to be made up.

30. The committee shall in the month of April in every year make up, or cause to be made up, an estimate of the sums required in order to defray the interest of any money borrowed, the payment of the sinking fund, and the expense of maintaining and managing all libraries or museums under their control for the year after Whitsunday then next to come, and for the purpose of purchasing the books, articles, and things authorised by this Act to be purchased for such libraries or museums, and shall report the same to the magistrates and council in the case of a burgh, or to the board in the case of a parish, and the magistrates and council or the board, as the case may be, shall provide the amount required out of the library rate to be levied by them, and shall pay over to the committee the sum necessary for the annual expenditure by them in terms of their estimate.

Power to add to institutions established.

31. Where any of the following institutions, namely, a public library, a public museum, a school for science and art, a school for science, a school for art, or an art gallery has been established under any Public Library Act in force for the time being, or under this Act, there may at any time be established, in connexion therewith, any other of the said institutions without further proceedings being taken for the adoption of this Act.

Libraries, &c. to be free.

32. All libraries, museums, or art galleries established under this Act, or to which this Act applies, shall be open to the public free of charge, and no charge shall be made for the use of books or magazines issued for home reading.

SCHEDULES.

Section 4.

SCHEDULE (A.)

PROCEDURE FOR DETERMINING BY VOTING PAPER AS TO THE ADOPTION OF THE ACT.

(1.) Upon receipt of the requisition specified in the Act, the chief magistrate or the sheriff, as the case may be, shall, without unnecessary delay, cause to be printed, and to be delivered or sent by post to each householder, an intimation and a voting paper, in the respective forms appended hereto, and the intimation may be prefixed to the voting paper and on the same paper therewith, or may be printed separately, provided it be delivered or posted simultaneously with the voting paper.

(2.) In the case of a burgh, the voting paper shall bear the number of the householder on the municipal register, and where the burgh is divided into wards, the number of the ward; and in the case of a parish the voting paper shall bear a number relative to the entry of the householder in a copy of the valuation roll applicable to such parish, or in a list of the householders in such parish, which copy or list, distinguishing the amount of rental at which each person is assessed, the assessor, under the Acts in force for the valuation of lands and heritages in Scotland, is hereby required to make, certify, and furnish to the sheriff, within fourteen days of an application by him to that effect, on payment of a fee of not more than one shilling for each hundred names; and such copy or list, certified as aforesaid, shall be sufficient proof of the qualification of the householders named therein.

(3.) The intimation foresaid shall specify the place at which the voting paper is to be collected, and shall also specify a day for collection, hereinafter called the day of the poll, being not less than three lawful days, nor more than ten days from the last date of the delivery or of the posting of the voting papers to the householders.

(4.) The chief magistrate or the sheriff, as the case may be, shall, before the issue of such voting papers, appoint a competent person as collector thereof, on such terms and for such remuneration as may be reasonable; and he shall also, by himself or through the collector aforesaid, at any time before or during the collection or scrutiny of the voting papers, appoint such number of assistant collectors as may be necessary for carrying out the procedure herein specified.

(5.) The chief magistrate or the sheriff, as the case may be, shall, at least three days previous to the day of the poll, intimate such day and the place or places and hours fixed for collecting such votes by advertisement in one or more newspapers published or circulating in the burgh or parish; and the said advertisement shall also specify the name of the collector appointed as aforesaid, and an address where voting papers may be received from such collector, in terms of the immediately succeeding article.

(6.) The collector, or an assistant collector, shall attend at the address specified in such advertisement for at least three specified hours of each of the two lawful days immediately preceding the day of the poll, and shall, on the application of any householder, and on being satisfied that such householder has not already received a voting paper, supply a voting paper to such applicant; and the collector, or any assistant collector, shall, at any time after the issue of the voting papers, and before seven o'clock afternoon of the day of the poll, on being satisfied that a voting paper has been inadvertently lost, destroyed, or rendered useless, have power to supply a duplicate voting paper, which shall be marked "duplicate" before being issued.

(7.) Voting papers duly filled up and subscribed by the householders, to whom the same are respectively applicable, may be transmitted by post to the collector, at the address specified in the foresaid advertisement, provided that such voting papers reach the collector before eight o'clock of the afternoon of the day of the poll, and that the householders so transmitting prepay the postage thereof, otherwise the same shall not be received.

(8.) On the day of the poll the chief magistrate, or the sheriff, as the case may be, shall cause the place or places specified in the intimation accompanying the voting paper to be kept open from eight o'clock morning till eight o'clock afternoon, and such place, or each of such places, if more than one, shall be under the charge of the collector, or of an assistant collector, who shall give his personal attendance during the hours specified for the purpose of receiving all voting papers which may be handed to him.

(9.) In the case of a burgh divided into wards, there shall be at least one place for the collection of voting papers in each ward, and in any burgh or parish where more than one place for collection shall have been appointed, the collection in all of such places shall take place on the same day, and the intimation accompanying the voting paper shall specify the particular place where such voting paper is to be collected. The collector, or assistant collector, in charge of any such place for collection shall not be bound to receive a voting paper which shall have been directed to be lodged at some other such place.

(10.) Where any householder is unable to write, he may attach his mark to the voting paper, provided that such voting paper be signed by a witness, whose address shall be appended to his signature.

(11.) Any person fabricating a voting paper, or presenting or returning a fabricated voting paper, or any voting paper, knowing that the same does

not bear the true signature of the householder to whom such voting paper is intended to apply, shall be guilty of personation, and shall be liable to the penalties of that offence as set forth in the Ballot Act, 1872.

(12.) No voting paper shall be received after eight o'clock afternoon of the day of the poll; and in the event of there being more than one place for collection, each assistant collector shall immediately after the close of the poll transmit the voting papers received by him to the collector, and the whole voting papers shall thereafter be under the charge of the collector subject to the directions of the chief magistrate, or of the sheriff, as the case may be.

(13.) The collector, subject as aforesaid, shall, as soon as may be after the conclusion of the poll, proceed to a scrutiny of the voting papers, and shall, with such assistance as may be necessary, compare the same with the municipal register, or with the copy roll, or list of householders, as the case may be, and shall ascertain how far the voting papers have been filled up in terms of the directions thereon, and have been duly signed by the householders to whom such voting papers were respectively issued; and immediately on the conclusion of such scrutiny he shall report to the chief magistrate, or to the sheriff, as the case may be, the number of householders who have voted for the adoption of the Act, and the number who have voted against its adoption. He shall also report the total number of voting papers received, and the number, if any, which have been rejected by him, and the cause of such rejection.

(14.) Upon receiving the report of the collector, the chief magistrate, or the sheriff, as the case may be, shall, if satisfied of the accuracy of such report, cause the result of the poll to be made public in such manner as he shall think most expedient.

FORM OF INTIMATION.

Public Libraries Consolidation (Scotland) Act, 1887.

Burgh [*or* parish] of

No. [*insert number of householder on register, roll, or list*].

[*Insert place and date of issue.*]

To [*insert name of householder*].

In terms of the Public Libraries Consolidation (Scotland) Act, 1887, I have to intimate that a requisition having been presented to me by the prescribed number of householders of the burgh [*or* parish] of to take the opinion of the householders as to whether the Act should be adopted in said burgh [*or* parish], I have caused the subjoined [*or* accompanying] voting paper to be issued to you as a householder of said burgh [*or* parish], which voting paper, duly filled up and subscribed by you, will be received within [*name of place*] on the day of next, between the hours of eight o'clock morning and eight o'clock afternoon.

The voting paper may be delivered personally or by a messenger, provided it bear your signature.

In lieu of delivery of the voting paper in manner above mentioned, it is competent to any householder to post it addressed to [*name and address of collector*], provided the postage be prepaid, and that the voting paper reach the collector before eight o'clock afternoon of the said [*insert day of poll*]. The risk of delivery before the hour specified rests with the householder adopting this method of return.

(Signed) *A.B.*, Chief Magistrate, [*or* Sheriff].

FORM OF VOTING PAPER.

Public Libraries Consolidation (Scotland) Act, 1887.

Burgh [*or* parish] of
No. [*insert number of householder on register, roll, or list*].

VOTING PAPER.

To be delivered on the day of 18 [*insert day of poll*] between the hours of eight o'clock morning and eight o'clock afternoon, at [*insert place of collection*].

In reply to the question whether the Public Libraries Consolidation (Scotland) Act, 1887, should be adopted the burgh [*or* parish] of
I vote*

[*Signature of householder.*]

* Fill in "Yes" or "No," according as the voter does, or does not, desire the adoption of the Act.

NOTE.—Any person fabricating a voting paper, or presenting or returning a fabricated voting paper, or any voting paper, knowing that the same does not bear the true signature of the householder to whom such voting paper is intended to apply, is guilty of personation, and is liable to the penalties of that offence as set forth in the Ballot Act, 1872.

SCHEDULE (B.)

Section 4.

PROCEDURE FOR DETERMINING BY PUBLIC MEETING AS TO THE ADOPTION OF THE ACT.

(1.) Upon receipt of the requisition specified in the Act, the chief magistrate, or the sheriff, as the case may be, shall convene a meeting of the householders in some convenient place within the burgh or the parish, as the case may be, for the purpose of determining whether the Act shall be adopted within such burgh or parish.

(2.) Such meeting shall be held on a day not less than fourteen days or more than thirty days after the receipt of the requisition, and notice of the meeting shall be given not less than seven days preceding its date by posting within the burgh or parish, as the case may be, handbills in the form annexed hereto, and also by advertisement, in the said form, inserted at least once in every daily newspaper published within the burgh or parish, as the case may be, and in the event of there being no daily newspaper so published, then at least once in one or more newspapers published or circulating within the burgh or parish.

(3.) The chief magistrate, in the case of a burgh, shall provide himself with a copy of the municipal register, and the sheriff, in the case of a parish, shall provide himself with a copy of the valuation roll applicable to such parish, or a list of the householders therein, which copy or list shall be made, certified, and furnished to the sheriff on his application in the manner directed in Schedule (A.).

(4.) At the meeting called as aforesaid all householders on the municipal register, in the case of a burgh, or on the copy or list furnished and certified as aforesaid, in the case of a parish, shall be entitled to vote, and no other person or persons whatever shall be so entitled, and the chief magistrate, or the sheriff, as the case may be, shall take such measures as may be necessary for the exclusion of non-qualified persons from the meeting, or for preventing such persons from voting, and for securing that the votes of such persons, if given, shall not be counted; and, if necessary for this purpose, he may require that every householder intending to be present at the meeting, or present thereat, shall enter his name and address on a card to be furnished to him, and that all such cards shall be delivered up before

entering the meeting, or before the votes are recorded; and every person knowingly and falsely representing himself to be a householder in such burgh or parish, and as such entitled to vote, shall be guilty of personation, and shall be liable to the penalties of that offence as set forth in the Ballot Act, 1872.

(5.) The chief magistrate, or the sheriff, as the case may be, shall attend and shall preside at the meeting, and shall appoint a clerk who shall make regular minutes of the proceedings thereof, and the chief magistrate, or sheriff, as the case may be, shall in case of equality have a casting vote.

(6.) The result of the vote, whether for or against the adoption of the Act, shall be announced by the chief magistrate, or sheriff, as the case may be, at the meeting itself, or in any other way he may think most expedient, provided such announcement be made without unnecessary delay.

FORM OF NOTICE OF PUBLIC MEETING.

Burgh [*or* parish] of .

Notice is hereby given, that under and in virtue of the powers contained in the Public Libraries Consolidation (Scotland) Act, 1887, the householders of the burgh [*or* parish] of are required to meet upon the day of next, at o'clock, within when a vote will be taken as to whether the Act shall be adopted by the said burgh [*or* parish].

[*In the case of a burgh add*] By the Act "householders" are defined to mean "all persons entered on the municipal register," and "municipal register" is defined to mean "the register, list, or roll of persons entitled "to vote in an election of town councillors or commissioners of police in "a burgh, made up according to the law in force for the time being."

[*In the case of a parish add*] By the Act "householders" are defined to mean "all persons entitled to vote in the election of a school board in "a parish under the provisions of the Education (Scotland) Act, 1872, "and any Act amending the same."

[The chief magistrate, or the sheriff, as the case may be, may append any regulations he may think expedient for securing order, and for effecting the purpose of the meeting.]

Dated at the day of 18 .

(Signed) *A.B.*, Chief Magistrate [*or* Sheriff].

CHAPTER 43.

An Act to amend the Stannaries Act, 1869, and for other purposes relating thereto. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Stannaries Act, 1887.

Interpretation.

2. In this Act—

The term "the stannaries" means the stannaries of Cornwall and Devon:

The term "vice-warden" means the vice-warden of the stannaries for the time being:

"Court" means the vice-warden's court:

The "registrar" means the registrar for the time being of the court:

The term "company" means any persons or partnership body, joint stock company, company constituted under the Companies Act, 1862, or any statutory modification thereof, and whether corporate or unincorporate, and whether limited or unlimited, engaged in or formed for working mines within the stannaries: 25 & 26 Vict. c. 89.

The term "purser" means the purser for the time being of a company, or if there is no purser then the secretary for the time being, or if there is no secretary, then the principal agent or manager for the time being of a company:

The term "cost book" includes all books and papers relating to the business of a mine which are for the time being kept by a purser, or which, according to law or the custom of the stannaries, ought to be kept by him:

The term "lessors" means the lessor or grantor of any lease, or grant of any mine, or licence to exercise mining rights and powers, and includes every person entitled under any such lease, grant, or licence, or any other instrument whatever, to receive the rents or dues payable in respect of any mine:

The term "mortgagees" includes all holders of mortgage-debentures, mortgages, or other charges issued by any company:

The term "sheriff" includes any officer charged with the execution of a writ or other process:

The term "miners" includes all artizans, labourers, and other persons working in and about a mine, except the purser, secretary, agent, or manager:

The term "wages" includes all earnings by miners arising from any description of piece or other work, or as tributers or otherwise:

The term "mining effects" includes machinery, materials, goods, and chattels, and all ores and halvans, and all other personal property appertaining to a mine, or used or intended to be used for mining purposes.

Extent of Act.

3. This Act extends only to metalliferous mines and tin streaming works within the stannaries.

Wages to have priority.

4. Miners employed wholly or in part in or about a mine, in respect of their wages in relation to the mine, not exceeding an amount equal to three months wages to each person, shall have for such wages a first charge upon all mining effects in and about the said mine, belonging to the said mine or to any company by whom the said mine is worked, and upon all money of the company in the count-house or in charge of the purser, agent, or secretary, or other person on behalf of the company, or at the credit of the company at their bankers, and upon all other assets whatever of the company in respect of the said mine, and such first charge shall, subject to the provisions of the tenth section of this Act, have priority over all claims for rents, royalties, dues, or otherwise by the lessors of the said mine, or by mortgagees, or judgment,

execution, or other creditors of the said company, or by any other persons whatever.

Claims of miners on leaving or death to be communicated to the manager.

5.—(1.) If any miner upon leaving a mine shall leave with, or forward to the manager of the said mine, a written memorandum of the wages which he claims to be then owing to him, and also of either his own name and address, or the name and address of some person to act in his behalf, the manager shall forthwith enter such name and address and claim in the books of the company.

(2.) On the notification to the manager of the death of any miner to whom wages are due, the manager shall forthwith enter in the books of the company a memorandum stating the fact of the death and the amount of wages due or claimed.

Sheriff after levy to deposit wages due at date of levy.

6. A sheriff in execution of any process against a company shall, in the first instance, seize for the amount of the judgment debt and costs, and on such seizure shall forthwith require and receive from the purser a full and correct statement of the total sum appearing by the books of the company to be due to the miners or their representatives for such wages as aforesaid, including a fair estimate of moneys earned as wages and not yet ascertained; and thereupon the sheriff shall enlarge his seizure so as to seize and sell sufficient to satisfy all the aforesaid moneys appearing to be due for such wages in addition to the judgment debt and costs, and such other charges as by law are allowed to the sheriff; and out of the proceeds of such sale shall, after payment of his own costs and expenses, but before paying the judgment debt and costs, pay to the purser the amount of such wages, whose receipt shall be a sufficient discharge for the same, and who shall distribute the same to the persons entitled thereto.

Orders for payment of wages made by justices to have priority.

7. After the commencement of this Act when orders for the payment of wages due in respect of work done at any mine have been made by any of Her Majesty's justices of the peace, and the several amounts payable thereunder have not been discharged within the time allowed by law for that purpose, a distress may be levied on and sale made of any such mining effects, in or on such mine, as are by law liable to be distrained for rent.

Court to enforce priority.

8. In addition to every other remedy for obtaining payment of their wages, the said miners, or any of them, may institute proceedings in the court, by way of summons, for enforcing the said first charge given to them by this Act, and the vice-warden may grant and make (ex parte or otherwise) all such injunctions and orders as he may think necessary and proper in order to secure such miners from loss; and if any amount ordered to be paid shall not have been paid within the time mentioned in such order, execution may be levied on and sale made of any mining effects in or on such mine as are by law liable to be distrained for rent.

Under winding-up proceedings money may be borrowed to pay wages.

9. If at the commencement of the winding-up of any company, whether by the court or otherwise, any wages, not exceeding such an amount as under the fourth section would be made a first charge, are unpaid, the same shall be paid by the official liquidator or liquidator forthwith in priority to all other costs except such costs of and incidental to the making of the order for the winding up as in the opinion of the court shall have been properly incurred, and, subject to the tenth section of this Act, to all claims, whether

by mortgagees, execution creditors, or any other person whatsoever; and, subject as aforesaid, the court may by order charge the whole or any part of the assets of the company, in absolute priority to all claims and to all existing mortgages or charges thereon, with the payment of a sum sufficient to discharge the said wages, with interest thereon at a rate not exceeding five per centum per annum, and such charge may be made in favour of any person who is willing to advance the requisite amount, or any part thereof, and as soon as the said sum has been so advanced the said wages shall be paid without delay, so far as such advanced amount extends, and in such order of payment as the court directs.

Saving of rights of clerks and servants. 46 & 47 Vict. c. 28.

10. Nothing in the fourth or eighth section of this Act is to be taken to have the effect of defeating or abridging or extending the right conferred upon clerks and servants by the Companies Act, 1883, to be paid in the winding up of a company in priority to other creditors, pari passu with labourers and workmen out of such assets only as are distributable by the liquidator or official liquidator within the meaning of the said Act, except that such priority shall only be given to the extent of three months, and shall not extend to the principal agent or manager, purser or secretary.

Time for payment of wages.

11. After the commencement of this Act it shall be lawful for a company to retain in its hands from the wages earned by any miner working at surface during the continuance of his employment seven days wages and no more. Subject to the right of the company to retain such seven days wages, all surface miners shall be paid once a fortnight, and the amount so retained shall be paid to the miner within seven days of his ceasing to be employed by the company. All wages that may become due to miners employed by contract underground shall be payable within fourteen days from the expiration of the contract. At the end of twenty-eight days from the commencement of the contract, and also at the end of every subsequent fourteen days during the continuance of the same contract, every such miner shall be entitled to subsist; that is, to a payment on account of his wages equal to the amount that the agent may estimate that the miner has earned in wages during the fourteen days for which payment is due. And if the agent shall refuse or neglect to make any estimate, or shall make an unreasonable estimate, the miner may forthwith apply to any two or more justices of the peace, who shall fix such amount of subsist as ought to be paid to him, and make an order for such payment to be forthwith made to him, subject to such directions as to costs as they may think fit:

Provided that when a miner first enters employment by contract under ground in a mine he shall be entitled to seven days subsist at the end of the first fortnight, and to a further seven days subsist at the end of the second fortnight. And that on leaving any mine a miner shall be entitled to the payment of all wages due to him if employed by tut work at the end of seven days from the termination of his employment, and if employed on tribute at the end of seven days from the sampling and assaying of the ore raised by him, and in the case of copper at the end of seven days from the next ticketing day.

Payment in convenient coin. 33 & 34 Vict. c. 10.

12. The purser shall pay all wages and subsist to the miners at the account house of the mine in current coins of the realm as defined by the Coinage Act of 1870, so as shall enable an immediate division to be made amongst the individual miners entitled to receive the same; nothing but such coins to be a legal tender to a miner for wages or subsist.

Mine club funds to be accounted for.

13.—(1.) After the commencement of this Act, any custom or rule of law to the contrary notwithstanding, all moneys deducted in any mine from the wages or earnings of or otherwise contributed by the miners for the purposes of a mine club, or accident, or sick or benefit fund, shall, unless a majority of the miners shall by resolution decide otherwise, be deemed to belong to the miners and not to the company, and the said moneys, and any contributions added thereto by the shareholders, shall be placed to a separate account, and the details thereof, showing the amount received and the several payments thereout, and to whom made during each preceding sixteen weeks, shall be set out in the balance sheet to be presented to the shareholders at each ordinary meeting; and a copy of the same shall be posted in the miners dry or changing sheds, and in the account house; and it shall be lawful for the miners in any mine, if they so please, to appoint any two of themselves to audit the said mine club fund accounts: Provided that section thirty-four of this Act shall not restrain the right of the miners to pass any such resolution, and such resolution shall have effect for twelve calendar months only after the passing thereof. And in the event of any money being so deducted for the purpose of medical attendance, each miner shall be entitled to name a qualified medical practitioner to whom the amount so deducted from his wages shall be paid for such medical attendance.

(2.) Upon the winding up of any company in the court of the vice-warden or any other court, or otherwise, the said mine club moneys or fund shall not be deemed to be or be applied as part of the assets of the company in liquidation of the debts of the company or otherwise; but shall be accounted for by the purser or any other person in possession of the fund to the liquidator, and shall be recoverable by him, and shall be applied in accordance with the rules of the club. Where a company is being wound up voluntarily, the liquidator, or any person claiming to be entitled to any such moneys or fund, may apply to the court for directions or to determine any question arising in the matter, in the same manner as if the company were being wound up by the court.

Power to pay over club funds to registered friendly society.

14. When deductions are made from the wages of miners for the maintenance of a mine club fund, under the provisions of the last preceding section of this Act, it shall be lawful for the miners employed in or about the mine by resolution of a majority of such miners to appoint a committee of management of such fund: Provided that if any portion of the said fund is contributed by the company, the sanction and concurrence of the said company shall be required in respect of the appointment of such committee; and such committee may transfer the same to any registered friendly society, established for the whole or any part of the stannaries district, and willing to receive the same upon such terms as may be agreed upon between the said committee and the said society.

Appointment of check-weigher.

15. When the amount of the wages payable to miners depends on the quantity and quality of the minerals sent to the surface by them, such miners may, at their own cost, station a person (herein called a check-weigher) at the place at which such mineral is weighed to take an account of the weight thereof; and such check-weigher, or some other miner, may also be present when the sampler of the company samples the said mineral, and the said sampler shall divide the sample taken by him into three parts, and shall retain one of such parts for the use of the company, give another part to the check-weigher or such other miner for the miners, and deposit the remaining part with the purser of the company for future use, if either the company or the miners require that it should be assayed; and such remaining part shall be sealed up in the presence of the check-weigher or such other miner, and retained by the company for assay, if required; the said check-weigher or other miner shall not interrupt or interfere in any way with the weighing or sampling of the said mineral, and shall not enter the assay office of the company, nor shall the absence of the check-weigher be a reason for delaying the said weighing and sampling.

Supply of tools and materials.

16. Tools, implements, and materials supplied to miners by the company for the purposes of the mine shall be supplied, as nearly as possible, at market price; and such prices and the quantities shall be distinctly specified in the account delivered to the miners.

Notice to quit and compensation for fixtures.

17. Where a miner contracts to work a tin stream at a fixed rate of tribute on the terms of providing and fitting up at his own expense the necessary plant and machinery, he shall in any case be entitled to not less than one month's notice to quit, and to all such machinery and plant, and to all tin stuff, dressed ore, or leavings that may be in and about his works at the date of his leaving, and he shall have reasonable time allowed to him to remove the same.

Disputes how to be determined.

18. Any dispute between any miner and the purser, manager, or agent of a mine as to any money due to him, or claimed by him, may be heard and determined by a court of summary jurisdiction, and such court for the purposes of this Act shall be deemed to be a court of civil jurisdiction, and in a proceeding in relation to any such dispute the court may order payment of any sum which it may find to be due as wages, or damages, or otherwise, and such reasonable costs as the court may think fit: Provided that in any proceeding in relation to any such dispute the court of summary jurisdiction—

(1) shall not, except by consent, exercise any jurisdiction where the amount claimed exceeds twenty-five pounds; and

(2) shall not, except by consent, make an order for the payment of any sum exceeding twenty-five pounds exclusive of the costs incurred in the case.

Mortgages of mining plant and effects to be registered.

19. All mortgages, mortgage debentures, and other documents whatever, whereby power is given by any company to any persons to take possession of any mining effects of or on a mine shall, in addition to any registration thereof now required by law, be registered within twenty-eight days from the date thereof, at the

office of the said registrar, in a book to be kept there for that purpose, without payment of any fee, and such book shall be subject to the inspection of all applicants at all reasonable times, and no such mortgage, mortgage debenture, or other document, unless so registered, shall confer any priority over or title as against the claims of any persons whatever for work and labour done or services performed in or upon such mine, or for goods and materials supplied to any company by which the said mine is carried on; such registration shall not affect any priority in respect of wages under the provisions of this Act.

Copy of all mining grants to be filed.

20. A true copy of all leases, grants, and licences made after the commencement of this Act, giving to the grantee the right to work mineral property within the said stannaries, and also of all assignments and contracts for the sale of such leases, grants, and licences, shall be filed by the lessee, grantee, licensee, assignee, or purchaser thereof at the said office of the said registrar within fourteen days from the execution thereof; and in default of such filing thereof, no such lease, grant, licence, assignment, or contract shall until filed be enforceable at law or in equity.

Valuation of relinquished shares.

21. When after the commencement of this Act a share in a company has been relinquished, and a valuation of the materials and other assets of the company is required to be made as between the shareholder who has relinquished and the continuing shareholders, such valuation shall be made upon the basis that all the said continuing shareholders had also at the same time relinquished their shares.

Relinquishment not valid unless delivered six weeks before stoppage of mine.

22. After the commencement of this Act a relinquishment shall not have any effect if it be delivered within the six weeks immediately preceding the day on which a resolution to wind up the company shall be legally passed at a duly convened meeting of the company, or on which an order shall be made to wind up the same by or subject to the supervision of the court.

Accounts to be entered in cost book.

23. The purser of every cost book mine shall, once at least every sixteen weeks, truly enter in the cost book of the mine accounts showing the actual financial position of the company at the end either of the financial month of such company last preceding the time of entry, or of the calendar month last preceding that time, including a statement of all credits, debts, and liabilities, and distinguishing in such accounts the amounts of calls paid, and calls not paid, and also all other accounts, documents, and things that the purser is required to enter therein by the custom of the stannaries, or by the direction of the company, and if any purser shall fail to make such entries or any of them within the time or in manner above directed, he shall, when and so often as he shall so fail, be liable to a penalty not exceeding twenty pounds, to be recovered in a summary manner before any two or more justices of the peace.

Penalty for false entries, &c.

24. If in the said accounts any false statement or entry shall be made or any material particular omitted with the knowledge of the purser, the said purser shall be liable in respect of every such false statement, entry, or omission to a penalty not exceeding fifty pounds, to be recovered in a summary manner before any two or more justices of the peace, and the said justices may, in their

absolute discretion, award any portion of the penalty imposed by them (not exceeding one moiety thereof) to the prosecutor, provided he is a shareholder in the company or a person having a legal right to inspect the said accounts; if such false statement, entry or material particular, has been made or omitted with the knowledge of the manager of the mine, such manager shall also be liable to a like penalty, to be recovered in like manner and with the like discretion in the justices as to their apportionment thereof.

Meetings to be held once every sixteen weeks.

25. The purser of every cost book mine shall duly convene an ordinary meeting of the shareholders in such mine at least once every sixteen weeks, for the transaction of the ordinary business of the said mine, and at every such meeting the cost book of the said mine, containing the accounts and other matters required by this Act to be entered therein, together with a list showing the name and address of every shareholder from whom any call is in arrear and unpaid, and the amount of the calls unpaid by him, shall be laid before the meeting, and be open to full and unrestricted inspection by any shareholder present, and if any purser shall fail to convene such meeting, or to duly hold the same, or shall fail to produce the said cost book thereat, or to permit it to be inspected as aforesaid, he shall forfeit for each and every such default a sum not exceeding ten pounds, to be recovered in a summary manner on the complaint of any shareholder in the company, before any two or more justices of the peace.

Accounts to be printed.

26. The accounts by the twenty-third section of this Act directed to be entered in the cost book shall, after the same have been laid before a meeting of the shareholders in pursuance of the twenty-fifth section, be printed, and a copy thereof sent to each shareholder in the company and also to the lessors of the mine.

Amalgamation of adjoining mines.

27. When the limits of any mine join those of any other mine the companies respectively working the said mines may, with the consent in writing of the respective lessors thereof in all cases where such consent is by law or custom necessary, amalgamate and become one company, provided that no such amalgamation shall take place unless each of the said companies shall authorise the same by a special resolution, to which two thirds in value of the shareholders in the said company shall consent in writing; such resolution shall be registered in the court, and the amalgamation shall not take effect until such registration, and shall be advertised in such manner as the court directs.

Petitions to wind up mining companies to be presented in stannary court. 25 & 26 Vict. c. 89.

28. The court of the vice-warden of the stannaries shall have the same jurisdiction in the winding-up of all companies formed for working mines within the stannaries (unless they are shown to be then actually working mines or to be engaged in any other undertaking, or to have entered into any contract for such working or undertaking beyond the limits of the stannaries), as has heretofore been exercised by the said court, pursuant to the eighty-first section of the Companies Act, 1862, in respect of companies engaged in working any mine within and subject to the jurisdiction of the said stannaries.

Unclaimed money.

29. When and as often after the commencement of this Act as the registrar of the court shall have standing in his name in the

Bank of England, or in either of the local banks in which he has been duly authorised to open accounts as registrar, any moneys which have become distributable or payable under orders of the court in creditors or pursers suits, or in matters arising out of the winding-up of companies, pursuant to the Companies Act, 1862, or any other Act, and which have remained unclaimed by or on behalf of any person thereto entitled for a period of two years, and the registrar shall report the same to the vice-warden, the vice-warden is hereby empowered to cause to be invested, in the joint names of himself and the registrar, in Government securities, the whole or any portion of such moneys, without prejudice to the claim of any person entitled to any part of the principal sums, and the income thereof, and the income derived from a sum of two hundred and seventeen pounds five shillings and fourpence, now standing in the joint names of the vice-warden and the registrar, in the Three Pound per Cent. Consolidated Bank Annuities, under the authority of an order of the vice-warden, approved by the Lord Chancellor, sanctioning the investment of a portion of the amount of unclaimed deposits pursuant to the sixty-first section of seventh and eighth Victoria, chapter one hundred and five, and the income to be derived from any further investments which may hereafter be made under the same authority shall be allowed to accumulate; and the said several incomes meanwhile shall be kept as separate funds apart from the ordinary fees of the court arising from other business; and be it further enacted, that the expense of making the said investments, or any re-investments of the unapplied produce thereof in the like securities, and any expenses which may be incurred in the sales of stock, to satisfy the claims of parties who may be entitled thereto, and any expenses of keeping the necessary accounts, shall be a first charge upon the income derived from the securities.

1 & 2 Vict. c. 110. s. 17. to apply to stannaries court.

30. Whereas it may be doubted whether section seventeen of statute first and second Victoria, chapter one hundred and ten, applies to the court of the vice-warden of the stannaries, it is hereby enacted that any judgment debt in an action commenced in that court by writ of summons shall carry interest at the rate of four pounds per centum per annum from the time of entering up the judgment until the same shall be satisfied, and such interest may be levied under a writ of execution on such judgment.

Duplicate registration.

31. From and after the commencement of this Act any company engaged in or formed for working a mine within the stannaries, and which has been or shall hereafter be registered either at the joint stock companies office in London or at the office of the assistant registrar at Truro, shall, together with every original document and the copy of every return required by the Companies Act, 1862, or any subsequent Act to be filed in the office where such company is registered, also transmit a copy of such original document and a second copy of any return to the said office, and it shall be the duty of the registrar or the assistant registrar, as the case may be, to forward such copies, the one to the other, for the purpose of being filed. And the penalties mentioned in sections twenty-seven, thirty-four, and thirty-nine of the Companies Act, 1862, and the provision of section forty of the same Act, shall attach to a company making default in transmitting the aforesaid copies.

32. The purser of every cost book mine shall within ten days of the expiration of the months of January, May, and September in each year cause to be filed or registered at the said registration office at Truro a summary or return containing the several particulars set forth in section twenty-six of the Companies Act, 1862, exclusive of the list of members of the company therein mentioned. Certain returns to be registered at the stannary court.

33. The powers contained in the Act eighteen and nineteen Victoria, chapter thirty-two, section twenty-three, and any other existing powers of the vice-warden to make rules and orders, and to prescribe forms for carrying into effect such rules and orders, shall extend to this Act, and this Act shall, so far as is consistent with the terms thereof, be construed as one with all former Acts relating to the court of the vice-warden of the stannaries. 18 & 19 Vict. c. 32. s. 23. to extend to this Act.

34. Any contract expressed or implied with the employers, or terms of hiring, which would in effect deprive miners of any right secured to them by this Act, or impose any condition whatever in reference to the disposition of club or benefit funds, shall, so far as such rights are affected, and in respect of any such condition, be void and of no effect. Evasions of this Act to be void.

35. Printed copies of this Act, and of the rules and regulations for the time being in force in any mine, shall be kept posted up in the smiths shop and in the miners dry or changing shed of every mine. Printed copies of this Act to be posted up.

36. This Act shall come into operation on the first day of December one thousand eight hundred and eighty-seven. Commencement of Act.

CHAPTER 44.

An Act to enable Her Majesty by Order in Council to unite the Colonies of Trinidad and Tobago into one Colony.

[16th September 1887.]

WHEREAS it is desirable that the islands of Trinidad and Tobago, which are now separate colonies, should be united into and form one colony:

And whereas the legislative body of the colony of Tobago has expressed its desire for the said union, and the legislative body of the colony of Trinidad has expressed its consent thereto:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It shall be lawful for Her Majesty by Order in Council to declare that the colony of Trinidad and the colony of Tobago shall, from a date to be mentioned in such Order, be united with and form one colony, on such terms and conditions as Her Majesty shall in such Order in Council, or in any subsequent Order or Orders, think fit to appoint: Provided always, that any Order in Council made in pursuance of this Act shall be laid before both Houses of Parliament as soon as conveniently may be after the making thereof. Power to unite Trinidad and Tobago into one colony.

Date of union.

2. From and after the date to be mentioned in such Order in Council the said colonies shall, subject to such terms and conditions as Her Majesty shall think fit to appoint, be taken to form one colony.

Partial repeal of 39 & 40 Vict. c. 47.

3. From and after the date aforesaid the St. Vincent, Tobago, and Granada Constitution Act, 1876, shall be repealed so far as it relates to the island of Tobago.

Short title.

4. This Act may be cited as the Trinidad and Tobago Act, 1887.

CHAPTER 45.

An Act for further amending the Enactments relating to Offices, Stations, and Buildings for the Metropolitan Police Force. [16th September 1887.]

49 & 50 Vict. c. 22.

WHEREAS by the Metropolitan Police Act, 1886, the receiver for the Metropolitan Police District (in this Act referred to as the police receiver) was empowered to provide, by building or otherwise, a central office, and such police stations, offices, houses, and buildings as were required for the purposes of the Metropolitan Police Force, and the execution of the enactments relating to such force, and to improve, enlarge, fit up, and provide proper access, yards, and other appurtenances for any offices, stations, houses, and buildings provided either before or after the passing of the Act, or any of them, and to purchase and hold land for the said purposes, or any of them, and (by section three) for the purpose of any purchase under the Act, and of any works under the Act of a permanent character, to borrow a sum or sums not exceeding in the aggregate two hundred thousand pounds:

And whereas the borrowing powers of the police receiver under the said Act are insufficient to provide for all the aforesaid purposes, and it is expedient to extend those borrowing powers, and otherwise to amend the enactments relating to the police receiver:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Metropolitan Police Act, 1887, and this Act and the Metropolitan Police Acts, 1829 to 1886, may be cited together as the Metropolitan Police Acts, 1829 to 1887.

Extension of borrowing powers under 49 Vict. c. 22. s. 3.

2.—(1.) For the purposes referred to in section three of the Metropolitan Police Act, 1886, the police receiver shall have power to borrow further sums not exceeding in the aggregate three hundred thousand pounds, and that section shall have effect as if five hundred thousand pounds were therein substituted for two hundred thousand pounds.

(2.) The purposes referred to in that section shall include the purchase of furniture and fittings for the said central office, but

all sums borrowed for the purchase of furniture or fittings shall be repaid, with the interest thereon, within a period not exceeding fifteen years.

(3.) A lender shall not be concerned to see or inquire for what purpose any money is borrowed under the said Act as amended by this Act.

Power to lease land not immediately required.

3. The police receiver may from time to time, with the approval of one of Her Majesty's Principal Secretaries of State, grant leases, for such terms as the Secretary of State may approve, of land for the time being held by the police receiver and appearing to the Secretary of State to be not immediately required for the purposes for which the police receiver is authorised to hold land.

Provision as to piece of land extending from Cannon Row.

4. Whereas a small piece of land, being an extension of Cannon Row, and containing sixty-three superficial yards or thereabouts, is bounded on three sides by land vested or about to be vested in the police receiver, and is believed to be vested in the Board of Works for the Westminster district, and is not required for the purposes for which that board is authorised to hold land, but doubts have been entertained whether that board has power to transfer the said piece of land to the police receiver and to extinguish the rights (if any) of the public over the same, and it is expedient to remove those doubts; be it therefore enacted that the said board may by agreement transfer the said piece of land to the police receiver, and thereupon all public rights (if any) over the said piece of land shall be extinguished.

CHAPTER 46.

An Act to amend and extend the Law relating to Truck.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Truck Amendment Act, 1887. The Act of the session of the first and second years of the reign of King William the Fourth, chapter thirty-seven, intituled "An Act "to prohibit the payment in certain trades of wages in goods or "otherwise than in the current coin of the realm." (in this Act referred to as the principal Act), may be cited as the Truck Act, 1831, and that Act and this Act may be cited together as the Truck Acts, 1831 and 1887, and shall be construed together as one Act.

1 & 2 Will. 4. c. 37.

Application of principal Act to workman as defined by 38 & 39 Vict. c. 90.

2. The provisions of the principal Act shall extend to, apply to, and include any workman as defined in the Employers and Workmen Act, 1875, section ten, and the expression "artificer" in the principal Act shall be construed to include every workman to whom the principal Act is extended and applied by this Act, and all provisions and enactments in the principal Act inconsistent herewith are hereby repealed.

Advance of wages.

3. Whenever by agreement, custom, or otherwise a workman is entitled to receive in anticipation of the regular period of the

payment of his wages an advance as part or on account thereof, it shall not be lawful for the employer to withhold such advance or make any deduction in respect of such advance on account of poundage, discount, or interest, or any similar charge.

Saving for servant in husbandry.

4. Nothing in the principal Act or this Act shall render illegal a contract with a servant in husbandry for giving him food, drink, not being intoxicating, a cottage, or other allowances or privileges in addition to money wages as a remuneration for his services.

Order for goods as a deduction from wages illegal.

5. In any action brought by a workman for the recovery of his wages, the employer shall not be entitled to any set off or counterclaim in respect of any goods supplied to the workman by any person under any order or direction of the employer, or any agent of the employer, and the employer of a workman or any agent of the employer, or any person supplying goods to the workman under any order or direction of such employer or agent, shall not be entitled to sue the workman for or in respect of any goods supplied by such employer or agent, or under such order or direction, as the case may be.

Provided that nothing in this section shall apply to anything excepted by section twenty-three of the principal Act.

No contracts with workman as to spending wages at any particular shop, &c.

6. No employer shall, directly or indirectly, by himself or his agent, impose as a condition, express or implied, in or for the employment of any workman any terms as to the place at which, or the manner in which, or the person with whom, any wages or portion of wages paid to the workman are or is to be expended, and no employer shall by himself or his agent dismiss any workman from his employment for or on account of the place at which, or the manner in which, or the person with whom, any wages or portion of wages paid by the employer to such workman are or is expended or fail to be expended.

Deduction for education.

7. Where any deduction is made by an employer from a workman's wages for education, such workman on sending his child to any state-inspected school selected by the workman shall be entitled to have the school fees of his child at that school paid by the employer at the same rate and to the same extent as the other workmen from whose wages the like deduction is made by such employer.

In this section "state-inspected school" means any elementary school inspected under the direction of the Education Department in England or Scotland or of the Board of National Education in Ireland.

Deduction for sharpening tools, &c.

8. No deduction shall be made from a workman's wages for sharpening or repairing tools, except by agreement not forming part of the condition of hiring.

Audit of deductions.

9. Where deductions are made from the wages of any workmen for the education of children or in respect of medicine, medical attendance, or tools, once at least in every year the employer shall, by himself or his agent, make out a correct account of the receipts and expenditure in respect of such deductions, and submit the same to be audited by two auditors appointed by the said workmen, and shall produce to the auditors all such books, vouchers, and documents, and afford them all such other facilities as are required for such audit.

Artificer to be paid in cash and not by way of barter for articles made by him.

10. Where articles are made by a person at his own home, or otherwise, without the employment of any person under him except a member of his own family, the principal Act and this Act shall apply as if he were a workman, and the shopkeeper, dealer, trader, or other person buying the articles in the way of trade were his employer, and the provisions of this Act with respect to the payment of wages shall apply as if the price of an article were wages earned during the seven days next preceding the date at which any article is received from the workman by the employer.

This section shall apply only to articles under the value of five pounds knitted or otherwise manufactured of wool, worsted, yarn, stuff, jersey, linen, fustian, cloth, serge, cotton, leather, fur, hemp, flax, mohair, or silk, or of any combination thereof, or made or prepared of bone, thread, silk, or cotton lace, or of lace made of any mixed materials. Where it is made to appear to Her Majesty the Queen in Council that, in the interests of persons making articles to which this section applies in any county or place in the United Kingdom, it is expedient so to do, it shall be lawful for Her Majesty, by Order in Council, to suspend the operation of this section in such county or place, and the same shall accordingly be suspended, either wholly or in part, and either with or without any limitations or exceptions, according as is provided by the Order.

Offences.

11. If any employer or his agent contravenes or fails to comply with any of the foregoing provisions of this Act, such employer or agent, as the case may be, shall be guilty of an offence against the principal Act, and shall be liable to the penalties imposed by section nine of that Act as if the offence were such an offence as in that section mentioned.

Fine on person committing offence for which employer is liable, and power of employer to exempt himself from penalty on conviction of actual offender.

12.—(1.) Where an offence for which an employer is, by virtue of the principal Act or this Act, liable to a penalty has in fact been committed by some agent of the employer or other person, such agent or other person shall be liable to the same penalty as if he were the employer.

(2.) Where an employer is charged with an offence against the principal Act or this Act he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved the employer proves to the satisfaction of the court that he had used due diligence to enforce the execution of the said Acts, and that the said other person had committed the offence in question without his knowledge, consent, or connivance, the said other person shall be summarily convicted of such offence, and the employer shall be exempt from any penalty.

When it is made to appear to the satisfaction of an inspector of factories or mines, or in Scotland a procurator fiscal, at the time of discovering the offence, that the employer had used due diligence to enforce the execution of the said Acts, and also by what person such offence had been committed, and also that it had been committed without the knowledge, consent, or connivance of the employer, then the inspector or procurator fiscal shall proceed against

the person whom he believes to be the actual offender in the first instance without first proceeding against the employer.

Recovery of penalties.

13.—(1.) Any offence against the principal Act or this Act may be prosecuted, and any penalty therefor recovered in manner provided by the Summary Jurisdiction Acts, so, however, that no penalty shall be imposed on summary conviction exceeding that prescribed by the principal Act for a second offence.

(2.) It shall be the duty of the inspectors of factories and the inspectors of mines to enforce the provisions of the principal Act and this Act within their districts so far as respects factories, workshops, and mines inspected by them respectively, and such inspectors shall for this purpose have the same powers and authorities as they respectively have for the purpose of enforcing the provisions of any Acts relating to factories, workshops, or mines, and all expenses incurred by them under this section shall be defrayed out of moneys provided by Parliament.

(3.) In England all penalties recovered under the principal Act and this Act shall be paid into the receipt of Her Majesty's Exchequer, and be carried to the Consolidated Fund.

(4.) In Scotland—

(*a.*) The procurators fiscal of the sheriff court shall, as part of their official duty, investigate and prosecute offences against the principal Act or this Act, and such prosecution may also be instituted in the sheriff court at the instance of any inspector of factories or inspector of mines;

(*b.*) All offences against the said Acts shall be prosecuted in the sheriff court.

Definitions.

14. In this Act, unless the context otherwise requires,—

The expression "Summary Jurisdiction Acts" means, as respects England, the Summary Jurisdiction Acts as defined by the Summary Jurisdiction Act, 1879; and, as respects Scotland, means the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and any Acts amending the same:

Other expressions have the same meaning as in the principal Act.

Disqualification of justice.

15. So much of the principal Act as disqualifies any justice from acting as such under the principal Act is hereby repealed.

A person engaged in the same trade or occupation as an employer charged with an offence against the principal Act or this Act shall not act as a justice of the peace in hearing and determining such charge.

Amendment of 1 & 2 Will. 4. c. 37. as to overseers.

16. The provisions of the principal Act conferring powers on any overseers or overseer of the poor shall be deemed to confer those powers in the case of England on the guardians of a union, and in the case of Scotland on the inspectors of the poor.

Repeal.

17. The Acts mentioned in the schedule to this Act are hereby repealed to the extent in the third column of the said schedule mentioned, without prejudice to anything heretofore done or suffered in respect thereof.

18. The principal Act, so far as it is not hereby repealed, and this Act shall extend to Ireland, subject to the following provisions: Application of Acts to Ireland.

(1.) Any offence against the principal Act or this Act may be prosecuted and any penalty therefor may be recovered in the manner provided by the Summary Jurisdiction (Ireland) Acts; (that is to say,) within the Dublin Metropolitan Police District the Acts regulating the powers and duties of justices of the peace and of the police of that district, and elsewhere in Ireland the Petty Sessions (Ireland) Act, 1851, and the Acts amending the same;

(2.) Penalties recovered under the principal Act or this Act shall be applied in the manner directed by the Fines (Ireland) Act, 1851, and the Acts amending the same.

SCHEDULE.

Session and Chapter.	Title of Act.	Extent of Repeal.
12 Geo. 1. c. 34. -	An Act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages.	Section three, and so much of section eight as applies section three.
22 Geo. 2. c. 27. -	An Act, the title of which begins with "An Act "for the more effectual "preventing of frauds," and ends with the words "and for the better pay- "ment of their wages."	So much of section twelve as applies to any enactment repealed by this Act.
30 Geo. 2. c. 12. -	An Act, the title of which begins with the words "An Act to amend an "Act," and ends with the words "payment of the "workmen's wages in "any other manner than "in money."	Sections two and three.
57 Geo. 3. c. 115. -	An Act, the title of which begins with the words "An Act to extend the "provisions of an Act," and ends with the words "articles of cutlery."	The whole Act.
57 Geo. 3. c. 122. -	An Act, the title of which begins with the words "An Act to extend the "provisions," and ends with the words "extend- "ing the provisions of "the said Acts to Scot- "land and Ireland."	The whole Act.

Session and Chapter.	Title of Act.	Extent of Repeal.
1 & 2 Will. 4. c. 37.	An Act to prohibit the payment in certain trades of wages in goods or otherwise than in the current coin of the realm.	Section ten, down to "be "produced to the court "and jury" inclusive; section eleven, section twelve, section fifteen, section sixteen, section eighteen, section nineteen, in section twenty the words "or servant "in husbandry"; section twenty-one, section twenty-two, section twenty-four from "and "unless the agreement" inclusive to end of section, and section twenty-five from "all workmen", to "purposes aforesaid" both inclusive, and the schedules.

CHAPTER 47.

An Act to provide for examination into the affairs of Trustee Savings Banks, and to remove doubts as to the Law relating to the winding-up of such Banks.

[16th September 1887.]

38 & 39 Vict. c. 60.

WHEREAS under section twenty-three of the Friendly Societies Act, 1875, provision is made for the appointment of an inspector to examine into the affairs of a society subject to that Act, but no such power exists for examination into the affairs of a trustee savings bank:

And whereas it is expedient, especially having regard to the recent failure of certain trustee savings banks, to authorise such an examination:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title, &c.

1. The Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter eighty-seven, intituled "An Act to consolidate and amend the laws relating to Savings Banks," is in this Act referred to and may be cited as the Trustee Savings Banks Act, 1863.

This Act and the Trustee Savings Banks Act, 1863, may be cited together as the Trustee Savings Banks Acts, 1863 and 1887.

This Act may be cited as the Trustee Savings Banks Act, 1887.

Appointment of Commissioner to examine affairs of trustee savings bank.

2.—(1.) The Treasury may, if satisfied on the representation either of such number of the depositors in any trustee savings bank as appears to them sufficient, or of the Commissioners for the Reduction of the National Debt, that there is good reason for causing an examination to be made into the affairs of any trustee savings bank, apply ex parte to any judge of the High Court of Justice in England or Ireland, or to any judge of the Court of Session in Scotland, who, if satisfied that such examination is desirable, may thereupon appoint a master of the Supreme Court of Judicature or a barrister of not less than seven years standing in England or Ireland, or any advocate of not less than five years standing or writer to the signet of not less than five years standing in Scotland, as a Commissioner to hold a local inquiry into the affairs of that savings bank, and to report thereon: Provided that such notice of any representation by depositors under this section shall be given to the trustees of the bank as the Treasury may direct.

(2.) Every such Commissioner shall, for the purposes of the examination which he is authorised to conduct, have power—

(*a*) to require by summons under his hand a person to send a written return to any inquiry, or to attend as a witness before him, and to examine any witness on oath or affirmation, and to require any witness to take an oath or affirmation and to answer any question; and

(*b*) to require production of all books, papers, and documents which appear to him to relate to the affairs of the savings bank, and the production of which appears to him necessary.

(3.) If any person, after having had a tender made to him of the expenses (if any) to which he is entitled, fails, without lawful excuse, to comply with any requirement of the Commissioner under this section, he shall, on summary conviction, for each offence be liable to a fine not exceeding ten pounds.

(4.) Every witness shall be allowed such expenses as would be allowed to him when attending to give evidence before any superior court, and in case of dispute the amount shall be referred by the Commissioner to a master or taxing officer of the Supreme Court of Judicature in England or Ireland, or to the Queen's and Lord Treasurer's Remembrancer in Scotland, who, on request under the hand of the Commissioner, shall ascertain and certify the proper amount of the expenses.

(5.) If any person on examination on oath or affirmation under this section wilfully gives false evidence, he shall be liable to the penalties for perjury.

(6.) The Treasury may, if they think fit, where a representation is made by depositors, require such security for costs to be given as they think proper, but except so far as costs may be recovered under any such security, all costs incurred in or incidental to any proceeding under this section shall be paid out of moneys provided by Parliament.

Winding up of savings banks.

3. For removing doubts as to the applicability of the Companies Acts to trustee savings banks, it is hereby declared that a trustee

savings bank is an unregistered association which may be wound up under the provisions of the Companies Act, 1862, and the Acts amending the same, respecting the winding up of unregistered companies, and a petition for winding up any such bank may be presented either by any person who under those Acts is authorised to present a petition for winding up a company, or by the Commissioners for the Reduction of the National Debt, or by a Commissioner appointed under this Act.

Definitions.

4. In this Act—

The expression "Treasury" means the Commissioners of Her Majesty's Treasury:

The expression "trustee savings bank" means a savings bank certified under the Trustee Savings Banks Act, 1863, whether it is carrying on business at the passing of this Act or not.

26 & 27 Vict. c. 87.

CHAPTER 48.

An Act to facilitate the provision of Allotments for the Labouring Classes. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Allotments Act, 1887.

Duty of sanitary authority to acquire land for allotments.

2.—(1.) On a representation in writing to the sanitary authority of any urban or rural district by any six registered parliamentary electors or ratepayers resident, in the case of an urban district, in that district, and, in the case of a rural district, in some parish in that district, that the circumstances of the urban district or parish are such that it is the duty of the sanitary authority to take proceedings under this Act therein, the sanitary authority shall take such representation into consideration.

If the sanitary authority of any urban or rural district are of opinion, either after inquiry made in consequence of such representation or otherwise, that there is a demand for allotments for the labouring population in such urban district, or in any parish in such rural district, and that such allotments cannot be obtained at a reasonable rent and on reasonable conditions by voluntary arrangement between the owners of land suitable for such allotments and the applicants for the same, the sanitary authority, subject to the provisions of this Act, shall by purchase or hire acquire any suitable land which may be available, whether within or without their district or the said parish, adequate to provide a sufficient number of allotments, and shall let such land in allotments to persons belonging to the labouring population resident in the said district or parish and desiring to take the same.

(2.) A sanitary authority shall not under this Act acquire land for allotments save at such price or rent that in the opinion of the sanitary authority all expenses, except such expenses as are incurred in making roads to be used by the public, incurred by the

sanitary authority in acquiring the land and otherwise in relation to the allotments may reasonably be expected to be recouped out of the rents obtained in respect thereof.

For the purpose of this section, the expression "reasonable rent" means the rent, exclusive of rates, taxes, and tithe rentcharge which a person taking an allotment might reasonably be expected to pay, taking one year with another, to a landlord, having regard to the value of similar land in the neighbourhood, to the extent and situation of the allotment, to the expenses of adapting the land to the purposes of the allotment, and to the repairs and other outgoings payable by the landlord, and to the cost and risk of collecting the rents of, and otherwise managing allotments.

Acquisition of land for purpose of Act. 38 & 39 Vict. c. 55. 8 & 9 Vict. c. 18.

3.—(1.) For the purposes of the purchase of land by agreement by a sanitary authority for allotments, section one hundred and seventy-eight of the Public Health Act, 1875, and the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, shall be incorporated with this Act, except the provisions with respect to the purchase and taking of land otherwise than by agreement, and with respect to the provision to be made for affording access to the special Act.

(2.) If a sanitary authority are unable by hiring or purchase by agreement to acquire suitable land sufficient for allotments under this Act for any district or parish at a reasonable price or rent and subject to reasonable conditions, such authority may petition the county authority of the county in which the district or parish is situate, and the county authority (after such inquiry and procedure as provided in the sections herein-after incorporated in this Act) may make a provisional order authorising the sanitary authority to put in force, as respects the land mentioned in the order, the provisions of the Lands Clauses Consolidation Act, 1845, and the Acts amending the same with respect to the purchase and taking of land otherwise than by agreement.

(3.) The Local Government Board, on the application of any county authority, shall introduce into Parliament a Bill confirming provisional orders made under this Act by such county authority, and the sanitary authority petitioning for the order shall be considered as the promoters of such order.

(4.) For the purpose of the purchase of land under this section otherwise than by agreement, sections one hundred and seventy-six, two hundred and ninety-six, and two hundred and ninety-seven of the Public Health Act, 1875, shall, so far as consistent with the tenour of this Act, be incorporated with this Act, and apply as if they were herein re-enacted, with the substitution of "the county authority" for "the Local Government Board," and of "any officer of the county authority appointed for the purpose of an inquiry" for "inspectors of the Local Government Board."

Provided that—

(*a.*) Any question of disputed compensation shall be referred to the arbitration of a single arbitrator appointed by the parties, or if the parties do not concur in the appointment of a single arbitrator, then, on the application of either of them, by the

Local Government Board, and the remuneration to be paid to the arbitrator appointed by the Local Government Board shall be fixed by that Board:

(*b.*) If an arbitrator appointed for the purposes of this Act dies or becomes incapable to act before he has made his award, or fails to make his award within two months after he is appointed, his appointment shall determine, and the determination of the compensation shall be referred to another arbitrator appointed in like manner as if no arbitrator had been previously appointed: Provided always, that the same arbitrator may be re-appointed:

(*c.*) An arbitrator appointed under this section shall be deemed to be an arbitrator within the meaning of the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, and the provisions of those Acts with respect to an arbitration shall apply accordingly; and, further, the arbitrator, notwithstanding anything in the said Acts, shall determine the amount of the costs and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers to have been incurred unnecessarily.

(5.) In construing for the purposes of this section any section or Acts incorporated with this section, this Act, together with any Act confirming a provisional order under this section, shall be deemed to be the special Act, and the sanitary authority shall be deemed to be the local authority or the promoters of the undertaking, as the case requires, and the word "land" shall have the same meaning as in this Act.

(6.) Where land is purchased by a sanitary authority under this Act otherwise than by agreement, the following provisions shall apply:

(*a.*) The county authority shall not make a provisional order for purchasing any park, garden, pleasure-ground, or other land required for the amenity or convenience of any dwelling-house, or any land the property of a railway or canal company which is or may be required for the purposes of their undertaking:

(*b.*) The county authority shall, in making a provisional order for purchasing land, have regard to the extent of land held in the neighbourhood by any owner and to the convenience of other property belonging to the same owner, and shall so far as is practicable avoid taking an undue or inconvenient quantity of land from any one owner.

(7.) For the purpose of the hiring of land by a sanitary authority for allotments, any person or body of persons or body corporate authorised to sell land to the sanitary authority for the purposes of this Act may, without prejudice to any other power of leasing, lease land to the sanitary authority, without any fine or premium, for a term not exceeding thirty-five years.

(8.) The county authority shall not make a Provisional Order for purchasing any right to coal or metalliferous ore.

Costs to be awarded in certain cases.

4. Where any Bill for confirming a Provisional Order made under this Act is referred to a committee of either House of

Parliament upon the petition of any person opposing such Bill, the committee shall take into consideration the circumstances under which such opposition is made to the Bill, and whether such opposition was or was not justified by the circumstances, and shall award costs accordingly to be paid by the promoters or the opponents of the Bill, as the committee may think just.

Any costs under this section may be taxed and recovered in the manner in which costs may be taxed and recovered under the twenty-eighth and twenty-ninth Victoria, chapter twenty-seven. 28 & 29 Vict. c. 27.

The decision of the majority of the members of the committee for the time being present and voting on any question under this section shall be deemed to be the decision of the committee.

Improvement and adaptation of land for allotments.

5. The sanitary authority may improve any land acquired by them under this Act, and adapt the same for letting in allotments, by draining, fencing, and dividing the same, acquiring approaches, making roads, and otherwise, as they think fit, and may from time to time do such things as may be necessary for maintaining such drains, fences, approaches, and roads, or otherwise for maintaining the allotments in a proper condition.

Management of allotments.

6.—(1.) Subject to the provisions of this Act, the sanitary authority may from time to time make, revoke, and vary such regulations as appear to be necessary or proper for regulating the letting of allotments under this Act, and for preventing any undue preference in the letting thereof, and generally for carrying the provisions of this Act into effect; and such regulations may define the persons eligible to be tenants of such allotments, and the notices to be given for the letting thereof, and the size of the allotments, and the conditions under which they are to be cultivated, and the rent to be paid for them. Provided that all such regulations shall make provision for reasonable notice to be given to a tenant of any allotment of the determination of his tenancy. Provided also, that all regulations made under this section shall not be of any force unless and until they have been confirmed by the Local Government Board, in like manner and subject to the like provisions as in the case of byelaws under the Public Health Act, 1875. 38 & 39 Vict. c. 55.

(2.) All regulations for the time being in force under this section shall be binding on all persons whatsoever; and the sanitary authority shall cause them to be from time to time made known, in such manner as the sanitary authority think fit, to all persons interested, and shall cause a copy thereof to be given gratis to any inhabitant of the district or parish demanding the same.

(3.) Subject to the provisions of this Act the sanitary authority may from time to time appoint, and when appointed, remove allotment managers of land acquired under this Act for allotments, and such allotment managers shall consist either partly of members of such authority and partly of other persons, or wholly of other persons, so that in either case such other persons be persons residing in the locality and contributing to the rate out of which the expenses under this Act are paid.

(4.) The proceedings and powers of allotment managers shall be such as, subject to the provisions of this Act, may be prescribed from time to time by the sanitary authority; the allotment managers may be empowered by the sanitary authority to do anything in

relation to the management of such allotments which the sanitary authority are authorised to do, and to incur expenses to such amount as the sanitary authority prescribe, and any expenses properly so incurred shall be deemed to be expenses of the sanitary authority under this Act.

Provisions as to letting and use of allotments.

7.—(1.) The rents of the allotments shall be fixed at an amount not less than such as may reasonably be expected to ensure the sanitary authority from loss; but in calculating such loss any expenses incurred in an unsuccessful attempt to acquire land for allotments shall be excluded and, subject as aforesaid, such rents may be from time to time charged as are reasonable, having regard to the agricultural value of the land, and not more than a quarter's rent shall be required to be paid in advance in any case where it is deemed necessary by the sanitary authority to require the payment of rent in advance.

(2.) The sanitary authority shall, for the purposes of all rates, taxes, and tithe rentcharge, be deemed to be the occupiers of the allotments which are let, but they shall cause the sums from time to time paid by way of rates, taxes, and tithe rentcharge in respect of the allotments to be apportioned among them, and cause the sum so apportioned in respect of each allotment to be certified to the tenant thereof, and such sum shall be added to the rent otherwise payable by the said tenant in respect of such allotment, and shall be deemed to be part of such rent, and be recoverable accordingly: Provided always, that for the purposes of the parliamentary franchise, and the municipal and all other local franchises, the tenants shall be deemed to be the occupiers, and such rates to have been paid by them, notwithstanding the provisions herein-before contained.

(3.) One person shall not hold any allotment or allotments acquired under this Act exceeding one acre, and an allotment shall not be sub-let.

(4.) Provided that if at any time any allotment cannot be let in accordance with the provisions of this Act and the regulations, the same may be let to any person whatever at the best annual rent which can be obtained for the same, without any premium or fine, and on such terms as may enable the sanitary authority to resume possession thereof within a period not exceeding twelve months if it should at any time be required to be let under the provisions aforesaid.

(5.) No building other than a toolhouse, shed, greenhouse, fowl-house, or pigstye shall be erected on any part of any allotment, and if any building other than as aforesaid is so erected the sanitary authority shall forthwith pull down such building and sell and dispose of the materials thereof, and the proceeds of the sale shall be applicable in like manner as the rent of the allotment. If any building so allowed to be erected is erected upon an allotment, then at the end of the tenancy neither the sanitary authority nor the incoming tenant shall be bound to take any such building or pay any compensation therefor, but the outgoing tenant shall be at liberty, before the expiration of his tenancy, to remove the same, and, if he fails so to do, the sanitary authority may pull down the building and dispose of the materials, and apply the proceeds in like manner as if it were a building prohibited to be erected.

(6.) A tenant of an allotment may, before the expiration of his tenancy, remove any fruit and other trees and bushes planted or acquired by him, for which he has no claim for compensation.

Recovery of rent and possession of allotments.

8.—(1.) The rent for an allotment let in pursuance of this Act, and the possession of such allotment in the case of any notice to quit, or failure to deliver up possession of the same as required by law, may be recovered by the sanitary authority as landlords, in the like manner as in any other case of landlord and tenant.

(2.) If the rent for any allotment is in arrear for not less than forty days, or if it appears to the sanitary authority that the tenant of an allotment not less than three months after the commencement of the tenancy thereof has not duly observed the regulations affecting such allotment made by or in pursuance of this Act, or is resident more than one mile out of the district or parish for which the allotments are provided, the sanitary authority may serve upon the tenant, or if he is residing out of the district or parish, leave at his last known place of abode in the district or parish, or fix in some conspicuous manner on the allotment, a written notice determining the tenancy at the expiration of one month after the notice has been so served or affixed, and thereupon such tenancy shall be determined accordingly: Provided that in every such case the sanitary authority in default of agreement between the incoming and outgoing tenant shall on demand pay to the tenant whose tenancy is so determined any compensation due to him as an outgoing tenant; and such compensation shall be assessed by an arbitrator appointed by the sanitary authority, or, if the tenant so elect, either by an arbitrator appointed under the Allotments and Cottage Gardens Compensation for Crops Act, 1887, or by a reference under the Agricultural Holdings (England) Act, 1883.

50 & 51 Vict. c. 26. 46 & 47 Vict. c. 61.

(3.) Upon the recovery of an allotment from any tenant, the court or justice directing the recovery may stay delivery of possession until payment of the compensation, if any, due to the outgoing tenant has been made or secured to the satisfaction of the court or justice.

Election of allotment managers.

9.—(1.) Where allotments have been provided under this Act for a parish in any rural district, a petition to the sanitary authority may be presented by a number of the electors of allotment managers in such parish, not being less than one sixth of the whole number of such electors, praying for the election of allotment managers in such parish, and thereupon the sanitary authority shall order such election, and the allotment managers so elected shall be the allotment managers of the allotments in such parish in lieu of allotment managers appointed by the sanitary authority, who, on an election under this Act, shall cease to hold office.

(2.) The first election shall be held on such day as may, subject to the regulations hereafter mentioned, be fixed by the said authority.

(3.) The number of allotment managers in each case shall be such (not being less than three nor more than five) as the sanitary authority may fix, and the quorum shall be three, or, if the number of managers is less than five, be two.

(4.) The allotment managers shall retire triennially on such day as may be prescribed by the regulations herein-after mentioned, and the allotment managers first elected shall retire on the day for retirement which occurs next after the expiration of three years after the day fixed for their election.

(5.) Any casual vacancy among the allotment managers which occurs by death, resignation, disqualification, or otherwise may, if there remains a quorum of allotment managers, be filled up by such managers, but the person elected to fill the vacancy shall hold office only for the same time as the vacating manager would have done.

(6.) If at any time by reason of a failure of election, either by electors or allotment managers, or of any other cause, there is no allotment manager, or no quorum of allotment managers in any parish, the sanitary authority shall appoint allotment managers under this Act in that parish, and shall continue to appoint the same until another petition for the election of allotment managers is presented under this section.

(7.) The electors of allotment managers shall be the parliamentary electors in the parish, that is to say, the persons registered in any list of parliamentary electors for the parish as entitled to vote at an election of a member to serve in Parliament, and an elector shall not give more than one vote for any candidate nor vote for more candidates than the number to be elected.

(8.) The election of allotment managers shall be held at such time, and in such manner, and in accordance with such regulations as the Local Government Board may from time to time by order prescribe; and the Local Government Board may make regulations respecting the duties of the returning officer, and the expenses of the election, and may do and make regulations respecting all such things as appear to them necessary or proper for carrying into effect this section, whether preliminary or incidental to such election, and for applying to such election any enactments respecting offences at the election of guardians, and may revoke or alter any previous order under this section: Provided as follows:—

(*a.*) Such guardian or overseer of the parish, or other person as the sanitary authority may appoint, shall be the returning officer;

(*b.*) A poll, if demanded, shall be taken by ballot, and the said regulations shall provide for the application to such poll of the Ballot Act, 1872, including the provisions for punishing offences;

35 & 36 Vict. c. 33.

(*c.*) The poll shall be held on one day only, and shall close at eight o'clock in the evening, and shall be open for at least the period from five to eight o'clock in the evening;

(*d.*) The returning officer shall not vote except in the case of an equality of votes between any candidates, in which case he shall have a casting vote;

(*e.*) Any ballot boxes, instruments, fittings, and compartments provided by any public authority for parliamentary, municipal, or school board elections, or belonging to any public authority for the purpose of elections, shall be lent to the returning

officer on his request for the purpose of an election of allotment managers, under such conditions and either free of charge or for such reasonable charge as may be prescribed by regulations under this section;

(*f.*) The returning officer may, except during ordinary school hours, use free of charge for the purpose of an election under this section any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any rate in the parish, but he shall make good any damage done to the room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the room, on account of its being so used.

(9.) An election under this section shall not be questioned except in such manner as may be prescribed by regulations under this section, and the regulations may apply to such election any enactments respecting the questioning of an election of guardians.

(10.) If an allotment manager is punished with imprisonment for any crime, or is adjudged a bankrupt, or enters into a composition or arrangement with his creditors, or ceases to reside in, or in the neighbourhood of, the parish, or absents himself for twelve months from all meetings of the allotment managers, except for temporary illness or other cause, to be approved by such managers, or is a tenant of any allotment under the management of the managers, he shall cease to be an allotment manager, and his office shall be vacant, and a person who, if elected, would by virtue of this enactment cease, otherwise than by reason of absence from meetings, to be a manager, shall not be qualified to be elected a manager, but, save as aforesaid, any retiring manager shall be eligible for re-election.

Expenses and receipts.

10.—(1.) All expenses incurred by a sanitary authority under this Act, including allowances to officers of such authority for duties under this Act, shall be defrayed—

(*a.*) in the case of an urban sanitary authority as part of the general expenses of their execution of the Public Health Act, 1875; and 38 & 39 Vict. c. 55.

(*b.*) in the case of a rural sanitary authority as special expenses incurred in the execution of the Public Health Act, 1875, and such expenses shall be charged to the parish on account of which the land was acquired.

(2.) Section two hundred and ninety-eight of the Public Health Act, 1875, with respect to costs of Provisional Orders, shall apply to costs incurred by a sanitary authority in relation to Provisional Orders under this Act.

(3.) All sums received by a sanitary authority in respect of any land acquired under this Act, otherwise than from any sale or exchange, shall be applied in aid of the expenses incurred by them in respect of such land, and so far as they are not required for the payment of those expenses, shall be applied in aid of the general and special expenses above in this section mentioned, and in the case of a rural sanitary authority shall be credited to the parish on account of which the land was acquired.

(4.) The sanitary authority may borrow for the purposes of acquiring, improving, and adapting land under this Act in like manner and subject to the like conditions as for the purpose of defraying the above-mentioned general and special expenses; and all sums payable by the sanitary authority in respect of principal or of interest on any money so borrowed shall be defrayed in manner provided by this section respecting expenses incurred under this Act in respect of such land.

(5.) Sections two hundred and thirty-three, two hundred and thirty-four, and two hundred and thirty-six to two hundred and thirty-nine both inclusive, of the Public Health Act, 1875, relating to borrowing by a local authority, and sections two hundred and forty-two and two hundred and forty-three of the same Act, relating to loans by the Public Works Loan Commissioners to a local authority, shall apply to a loan for the purposes of this Act to a sanitary authority in like manner as if they were herein re-enacted and in terms made applicable thereto.

38 & 39 Vict. c. 55.

(6.) Separate accounts shall be kept of the receipts and expenditure under this Act of the sanitary authority and their officers and of allotment managers and other persons acting under this Act, and such accounts shall be audited in like manner, and with the like incidents and consequences as the accounts of the other receipts and expenditure of the sanitary authority and their officers under the Public Health Act, 1875, and in the case of allotment managers and other persons as the accounts of officers of the sanitary authority.

Sale of superfluous or unsuitable land.

11.—(1.) Where the sanitary authority are of opinion that any land acquired by them in pursuance of this Act or any part thereof is no longer needed for the purpose of allotments, or that any other land more suitable for such purpose is available, they may, with the sanction of the county authority, sell or let such land or part, or exchange the same for other land more suitable for the said purpose, and may pay or receive money for equality of exchange.

(2.) The proceeds of a sale under this section and any money received by the sanitary authority on any such exchange as aforesaid by way of equality of exchange, shall be applied in discharging, either by way of a sinking fund or otherwise, the debts and liabilities of the sanitary authority in respect of the land acquired under this Act, or in acquiring, adapting, and improving other land for allotments under this Act, and any surplus remaining may be applied for any purpose for which capital money may be applied, and which is approved by the Local Government Board; and the interest thereon (if any) and any money received from the letting of the land may be applied in acquiring other land for allotments, or shall be applied in like manner as receipts from allotments under this Act are applicable: Provided that any such proceeds, surplus, interest, and money shall, in the case of a rural sanitary district, be credited to or applied for the benefit of the parish for which the land was purchased.

(3.) Sections one hundred and twenty-eight to one hundred and thirty-two (both inclusive) of the Lands Clauses Consolidation Act, 1845 (relating to the right of pre-emption of superfluous lands) shall

apply upon any sale by a sanitary authority in pursuance of this section of any land, whether because it is no longer needed for the purpose of allotments, or because other land more suitable for the purpose is available, but save as aforesaid, the provisions of the Lands Clauses Consolidation Act, 1845, with respect to the sale of superfluous lands shall not be deemed to be incorporated in this Act, or in any Provisional Order made under this Act.

Power to make scheme for provision of common pasture.

12. Where it appears to any sanitary authority that, as regards their district, if urban, or any parish in their district, if rural, land can be acquired for affording common pasture at such price or rent that all expenses incurred by the sanitary authority in acquiring the land and otherwise in relation to the land when acquired may reasonably be expected to be recouped out of the charges paid in respect thereof, and that the acquisition of such land is desirable in view of the wants and circumstances of the labouring population, such sanitary authority may submit to the county authority for the county in which the district or parish is wholly or partly situate a scheme for providing such common pasture, and the county authority, if satisfied of the expediency of such scheme, may by order authorise the sanitary authority to carry it into effect, and upon such order being made this Act shall, with the necessary modifications, apply in like manner as if "allotments" in this Act included common pasture, and "rent" included a charge for turning out an animal.

Provided that the regulations made under this Act may extend to regulating the turning out of animals on the common pasture, to defining the persons entitled to turn them out, the number to be turned out, and the conditions under which animals may be turned out, and fixing the charges to be made for each animal, and otherwise to regulating the common pasture.

Power for allotment wardens or allotment trustees to transfer to sanitary authority. 8 & 9 Vict. c. 119.

13.—(1.) The allotment wardens under the Inclosure Act, 1845, and the Acts amending the same, having the management of any land appropriated under the said Acts either before or after the passing of this Act for allotments or field gardens for the labouring poor of any place, may by agreement with any sanitary authority within whose district such place is wholly or partly situate, transfer the management of such land to the sanitary authority, upon such terms and conditions as may be agreed upon with the sanction, as regards the said allotment wardens, of the Land Commissioners for England, and thereupon such land shall vest in the sanitary authority.

45 & 46 Vict. c. 80.

(2.) All trustees within the meaning of the Allotments Extension Act, 1882, required or authorised by that or any other Act to let lands in allotments to cottagers, labourers, journeymen, or others in any place may, if they think fit, in lieu of letting such land in manner provided by the said Acts, sell or let such land to the sanitary authority of the district in which such place is wholly or partly situate, upon such terms as may be agreed upon, with the sanction, as regards the said trustees, of the Charity Commissioners for England and Wales.

(3.) The provisions of this Act shall apply to land vested in the sanitary authority under this section, in like manner as if it had

been acquired by the sanitary authority under the general powers of this Act.

As to combination of parishes and contributory places.

14.—(1.) If expenses under this Act are incurred in respect of two or more parishes, such expenses shall be apportioned among those parishes in like manner and subject to the like provisions as special expenses incurred for the common benefit of two or more contributory places under the Public Health Act, 1875, may be apportioned.

(2.) Where in a rural district any area other than a parish is a contributory place for the purposes of the Public Health Act, 1875, this Act shall apply to such contributory place as if it were a parish, and the expression "parish" in this Act shall not include any parish wholly or partly within such contributory place, and the parliamentary electors for the contributory place shall be the persons registered in any list of parliamentary electors for any parish wholly in such contributory place, or for any parish partly therein, if registered in respect of any qualification situate in such contributory place.

(3.) Where a district or parish forms part of more than one county, it shall be deemed for the purposes of this Act to be situate wholly in that county which comprised, according to the last published census for the time being, the largest portion of the population of such district or parish, and where such population is not specified in such census, then in the county in which the largest part of the area of such district or parish is situate, and any doubt which may arise under this section as to the county shall be determined by the Local Government Board.

Two or more parishes immediately adjoining each other may make a representation under this Act, and a sanitary authority of a rural district may take proceedings in respect of such parishes as if they were a single parish.

Register of tenancies.

15. The sanitary authority shall cause a register to be kept showing the particulars of the tenancy, acreage, and rent of every allotment let, and of the unlet allotments, and such register shall be open to the examination of ratepayers in the urban district or the parish for which the allotments have been provided, in such manner as may be prescribed by the regulations made under this Act by the sanitary authority, and any ratepayer of such district or parish, without paying any fee, may take copies of or extracts from such register, and within one month after the twenty-fifth day of March in every year shall cause an annual statement showing their receipts and expenditure under this Act in respect of the year ending on that day, and their liabilities outstanding on that day, to be deposited at some convenient place in the district, if urban, or the parish to which the statement relates if the district is rural, and any ratepayer may without fee inspect and take copies of such statement.

Definition of county authority.

16. For the purposes of this Act "county authority" shall be any representative body elected by the inhabitants of the county which may be established under any Act of any future session of Parliament, and until such representative body is established the powers and duties of the county authority under this Act shall be

exercised and performed by the Local Government Board, and the provisions of this Act and of the enactments incorporated with this Act shall accordingly be construed with the necessary modification.

Definitions.

17. In this Act, unless the context otherwise requires—

The expression "allotment" includes a field garden.

The expressions "urban district" and "rural district" mean respectively an urban and rural sanitary district within the meaning of the Public Health Act, 1875.

The expression "sanitary authority" means the urban sanitary authority of an urban sanitary district and the rural sanitary authority of a rural sanitary district within the meaning of the Public Health Act, 1875.

The expression "land" includes pasture, arable, and other land, and any right of way or easement.

Extent of Act.

18. This Act shall not apply to Scotland or Ireland.

CHAPTER 49.

An Act to amend the Charitable Trusts Acts, 1853 to 1869, so far as respects the officers of the Charity Commissioners for England and Wales and the Official Trustees acting under those Commissioners.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Charitable Trusts Act, 1887, and shall be construed as one with the Charitable Trusts Acts, 1853 to 1869, and, together with those Acts, may be cited as the Charitable Trusts Acts, 1853 to 1887.

Appointment of assistant commissioners.

2.—(1.) The Charity Commissioners for England and Wales (in this Act referred to as "the Board") may from time to time with the approval in each case of the Commissioners of Her Majesty's Treasury (in this Act referred to as the Treasury) appoint assistant commissioners, and may remove any such assistant commissioner.

(2.) The number and salaries of the assistant commissioners under this Act shall be such as the Treasury may from time to time sanction.

(3.) Each assistant commissioner under this Act shall have the same powers as an inspector under the Charitable Trusts Acts, 1853 to 1869, and the sections of the Charitable Trusts Acts, 1853 to 1869, specified in the First Schedule to this Act, shall have effect as if "assistant commissioner" or "assistant commissioners" were therein substituted for "inspector" or "inspectors," as the case may be, and each assistant commissioner acting under the authority

of the Board may exercise the said powers for any purpose of or incidental to any duties imposed on the Board by Parliament under any present or future Act.

(4.) The power of appointing inspectors under the Charitable Trusts Acts, 1853 to 1869, shall cease.

Provision for absence of secretary.

3. The signature of any officer of the Board (whether assistant secretary or other) who for the time being is authorised by an order of the Board signed by two Commissioners to act on behalf of the secretary of the Board shall, for all purposes of the Charitable Trusts Acts, 1853 to 1869, or any other enactment, be as valid as the signature of the secretary; and a reference in any enactment to the signature of the secretary shall include a reference to the signature of such officer, and any document signed by an officer expressed to be so authorised shall be received in evidence without proof of the authority.

Amendment of Charitable Trusts Acts as to official trustees of charitable funds.

4.—(1.) From and after the date fixed by a regulation under this section, such officers of the Board as the Board with the approval of the Treasury from time to time appoint shall, in lieu of the persons mentioned in the Charitable Trusts Amendment Act, 1855, be the official trustees of charitable funds;

Provided that any inspector or officer of the Board, who at the passing of this Act is official trustee of charitable funds, and is not, after the passing of this Act, appointed to be official trustee shall, while he continues to hold his inspectorship or office, receive not less salary than he received while official trustee.

(2.) From and after the said date, notwithstanding anything in the Charitable Trusts Acts, 1853 to 1869, the Treasury may, by regulations to be made or approved by them, from time to time prescribe:

(*a*) the accounts to be kept by the said official trustees and the mode in which and the persons by whom such accounts and the banking accounts, and any other accounts required by the Charitable Trusts Acts, 1853 to 1869, to be kept by or on behalf of the official trustees of charitable funds, are to be kept;

(*b*) the mode in which orders authorised by law for the payment of any money to or by the said official trustees or held upon their banking account, or for the transfer of any stock or securities to or by the said official trustees, are to be signed, authenticated, and carried into effect; and

(*c*) the mode in which the business of the said official trustees generally is to be conducted:

Provided that separate accounts shall continue to be kept for each charity.

(3.) The accounts of the said official trustees shall be audited such person and in accordance with such regulations as the Treasury from time to time appoint or prescribe.

(4.) A regulation under this section, or an order made under such regulation, shall be a complete indemnity to the Governor Company of the Bank of England, and all companies and person

any act done pursuant to such regulation or order, and the said Governor and Company, and other companies and persons, shall conform to such regulation or order.

Declaration as to power of official trustee of charity lands to take and hold land.

5. The official trustee of charity lands shall be authorised and be deemed always to have been authorised to take and hold all such land and estate or interest in land, as, in pursuance of an order of the Board, is conveyed to or vested in him by any deed or assurance or otherwise.

Repeal.

6. The Acts specified in the Second Schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned: Provided that

(*a*) this repeal shall not affect anything already done or suffered, or the tenure, salary, or powers of any officer holding office at the passing of this Act;

(*b*) this repeal, so far as regards the official trustees of charitable funds, shall take effect on the date on which regulations under this Act in relation to such trustees come into operation.

SCHEDULES.

FIRST SCHEDULE.

SECTIONS OF CHARITABLE TRUSTS ACTS RELATING TO INSPECTORS AND APPLIED TO ASSISTANT COMMISSIONERS.

Session and Chapter.	Title of Act.	Sections applied.
16 & 17 Vict. c. 137.	The Charitable Trusts Act, 1853.	Sections five, nine, ten, eleven, twelve, fourteen, fifteen, nineteen, twenty-three, fifty-four, fifty-six, fifty-seven, and fifty-eight.
18 & 19 Vict. c. 124.	The Charitable Trusts Amendment Act, 1855.	Sections six, seven, and eight.
23 & 24 Vict. c. 136.	The Charitable Trusts Act, 1860.	Section six.
32 & 33 Vict. c. 110.	The Charitable Trusts Act, 1869.	Section nine.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title of Act.	Part repealed.
16 & 17 Vict. c. 137.	The Charitable Trusts Act, 1853.	So much of section one as relates to the inspectors; section four, section fifty-one down to "charitable "funds and" inclusive, and section fifty-two down to the words "each separate "charity and" inclusive.

Session and Chapter.	Title of Act.	Part repealed.
18 & 19 Vict. c. 124.	The Charitable Trusts Amendment Act, 1855.	Section three; in section four the words "or in his "absence, of the chief "clerk"; in section five the words "or in his "absence, of the chief "clerk"; section seventeen; in section eighteen the word "present," and the words "to be so "appointed"; section twenty, from the words "and the secretary" inclusive to end of section; section twenty-four, from "and the said trustees" inclusive to end of section.
23 & 24 Vict. c. 136.	The Charitable Trusts Act, 1860.	In section seventeen the words "appointed under "or in pursuance of the "first or secondly recited "Act."

CHAPTER 50.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-eight, and to appropriate the Supplies granted in this Session of Parliament. [16th September 1887.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant out of Consolidated Fund.

Issue of 34,242,209*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-eight, the sum of thirty-four million two hundred and forty-two thousand two hundred and nine pounds.

Power for the Treasury to borrow.

2. The Commissioners of Her Majesty's Treasury may borrow from time to time, on the credit of the said sum of thirty-four million two hundred and forty-two thousand two hundred and nine pounds, any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said moneys were borrowed.

Any moneys so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to Her Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of sixty-one million two hundred and forty-seven thousand seven hundred and forty-four pounds are appropriated and shall be deemed to have been appropriated as from the date of the passing of the first of the Acts mentioned in the said Schedule (A.) for the purposes and services expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4. If a necessity arise for incurring expenditure not provided for in the sums appropriated to naval and military services by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course, each of the departments entrusted with the control over the said services shall forthwith make application in writing to the Commissioners of Her Majesty's Treasury for their authority to defray temporarily such expenditure out of any surpluses which may have been or which may be effected by the saving of expenditure upon votes within the same department, and in such application the department shall represent to the Commissioners of the Treasury the circumstances which may render such additional expenditure necessary, and thereupon the said Commissioners may authorise the expenditure unprovided for as aforesaid to be temporarily defrayed out of any surpluses which may have been or which may be effected as aforesaid upon votes within the same department; and a statement showing all cases in which the naval and military departments have obtained the sanction of the said Commissioners to any expenditure not provided for in the respective votes aforesaid, accompanied by copies of the representations made to them by the said departments, shall be laid before the House of Commons with the appropriation accounts of navy and army services for the year, in order that such proceedings may be submitted for the sanction of Parliament, and that provision may

be made for the deficiencies upon the several votes for the said services in such manner as Parliament may determine.

The Commissioners of the Treasury shall not authorise any expenditure which may cause an excess upon the aggregate sums appropriated by this Act for naval services and for army services respectively.

Sanction for navy and army expenditure for 1885-86 unprovided for.

5. Whereas the Commissioners of the Treasury, under the powers vested in them by the Act of the session held in the forty-eighth and forty-ninth years of the reign of Her present Majesty, chapter sixty-four, have authorised expenditure not provided for in the sums appropriated by the said Act to certain votes for naval and military services for the year ended on the thirty-first day of March one thousand eight hundred and eighty-six to be temporarily defrayed out of surpluses, effected by the saving of expenditure, on other votes for naval and military services for the said year; viz.,

1st. A sum of forty-three thousand five hundred and fifty-eight pounds sixteen shillings and threepence for navy services out of the unexpended balances of certain votes, aided by sums realised in excess of the estimated appropriations in aid:

2nd. A sum of one hundred and thirty-six thousand three hundred and thirty-two pounds eight shillings and ninepence for army services out of the unexpended balances of certain votes, aided by sums realised in excess of the estimated appropriations in aid:

It is enacted that the application of the said sums is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, or civil non-effective services until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Commissioners of Her Majesty's Treasury before one of the persons prescribed by such warrant.

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Commissioners of Her Majesty's Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title of Act.

7. This Act may be cited for all purposes as the Appropriation Act, 1887.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	61,247,744	0	0

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	£ s. d.	£ s. d.
1886 87.		
Part 1. Civil Services and Revenue departments (Supplementary) 1886–87	515,076 0 0	
,, 2. Navy (Supplementary) 1886–87	277,000 0 0	
,, 3. Army (Supplementary) 1886–87	459,000 0 0	
		1,251,076 0 0
1887–88.		
,, 4. Navy		12,476,800 0 0
,, 5. Army		18,393,900 0 0
	£	
,, 6. Civil Services, Class I.	2,004,254	
,, 7. Ditto, Class II.	2,468,558	
,, 8. Ditto, Class III.	6,304,160	
,, 9. Ditto, Class IV.	5,575,866	
,, 10. Ditto, Class V.	617,350	
,, 11. Ditto, Class VI.	1,248,116	
,, 12. Ditto, Class VII.	121,578	
TOTAL CIVIL SERVICES		18,339,882 0 0
,, 13. Revenue departments, &c.		10,786,086 0 0
		61,247,744 0 0

SCHEDULE (A.)

SCHED. (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£ s. d.
For the service of the year ending 31st March 1887:—	
Under Act 50 Vict. [Sess. 2] c. 1.	1,251,076 0 0
For the service of the year ending 31st March 1888:—	
Under Act 50 Vict. [Sess. 2] c. 1.	12,078,800 0 0
Under Act 50 & 51 Vict. c. 14.	13,675,659 0 0
Under this Act	34,242,209 0 0
TOTAL	61,247,744 0 0

SCHEDULE (B.)—PART 1.

SCHED. (B.) PART 1. Civil Services and Revenue Departments Supplementary, 1886–87.

CIVIL SERVICES AND REVENUE DEPARTMENTS SUPPLEMENTARY, 1886–87.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1887; viz.:—

CIVIL SERVICES.	
CLASS I.	£
Marlborough House	825
Houses of Parliament	8,200
Public Buildings	9,275
New Admiralty and War Office	800
Diplomatic and Consular Buildings	15,900

SCHED. (B.) PART 1. Supplementary, 1886-87.

	£
CLASS II.	
Foreign Office	658
Bankruptcy Department of the Board of Trade	10
Civil Service Commission	4,595
Local Government Board	1,800
Office of Secretary for Scotland	107
CLASS III.	
Court of Bankruptcy, Ireland	287
Constabulary of Ireland	30,960
CLASS IV.	
Science and Art Department	10,560
Public Education, Ireland	23,900
CLASS V.	
Diplomatic Services	16,785
Slave Trade Services	9,050
Grants in aid of Expenditure in certain Colonies	1,500
CLASS VI.	
Superannuation and Retired Allowances	11,254
Pauper Lunatics, Scotland	157
CLASS VII.	
Adelaide Exhibition, 1887	1,000
"Telegrafo" Claims	9,306
Treasury Chest Robbery	147
Total, Civil Services	157,076
REVENUE DEPARTMENTS.	
Post Office	236,000
Post Office Telegraphs	122,000
Total Revenue Departments	358,000
Grand total	515,076

SCHED. (B.) PART 2. Navy, Supplementary, 1886-87.

SCHEDULE (B.)—PART 2.

NAVY (SUPPLEMENTARY), 1886-87.

	£
For defraying additional expenditure incurred during the year ended on the 31st day of March 1887 for navy services beyond the sums granted by Parliament	277,000

SCHED. (B.) PART 3. Army, Supplementary, 1886-87.

SCHEDULE (B.)—PART 3.

ARMY (SUPPLEMENTARY), 1886-87.

	£
For defraying additional expenditure incurred during the year ended on the 31st day of March 1887, for army services beyond the sums granted by Parliament	459,000

A.D. 1887.

SCHED. (B.) PART 4. Navy.

SCHEDULE (B.)—PART 4.

NAVY.

SCHEDULE of SUMS granted to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For wages, &c. to 62,500 seamen and marines	2,940,700
2.	For victuals and clothing for seamen and marines	992,000
3.	For the expenses of the Admiralty Office	211,300
4.	For the expense of the coast guard service, the royal naval reserve, and seamen and marine pensioners reserve, and royal naval artillery volunteers	204,900
5.	For the expense of the several scientific departments of the navy	108,800
6.	For the expense of the dockyards and naval yards at home and abroad	1,732,600
7.	For the expense of the victualling yards at home and abroad	71,800
8.	For the expense of the medical establishments at home and abroad	65,900
9.	For the expense of the Marine Divisions	21,700
10.	Sect. 1. For naval stores for building, repairing, and outfitting the fleet and coast guard	1,207,000
,,	Sect. 2. For steam machinery, and ships built by contract, &c.	1,911,000
11.	For new works, buildings, machinery, and repairs in the naval establishments	553,300
12.	For medicines, medical stores, &c.	56,100
13.	For martial law, &c.	11,500
14.	For the expense of various miscellaneous services	186,100
15.	For half pay, reserved half pay, and retired pay to officers of the navy and marines	801,400
16.	Sect. 1. For military pensions and allowances	906,800
,,	Sect. 2. For civil pensions and allowances	328,800
17.	For freight of ships, for the victualling and conveyance of troops, on account of the army department	165,100
	TOTAL NAVY SERVICES £	12,476,800

SCHED. (B.) PART 5. Army.

SCHEDULE (B.)—PART 5.

ARMY.

SCHEDULE of SUMS granted to defray the charges for the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For the general staff and regimental pay, allowances, and charges of Her Majesty's land forces at home and abroad, exclusive of charges on India	4,522,000
2.	For divine service	59,800
3.	For administration of military law	36,000
4.	For medical establishments and services	324,000
5.	For the pay and allowances of the militia	571,500
6.	For the yeomanry cavalry pay and allowances	76,000
7.	For the volunteer corps pay and allowances	655,000
8.	For the pay and allowances of a number of army reserve first class, and of the army reserve second class	448,000
9.	For commissariat, transport and ordnance store establishments, wages, &c.	542,700
10.	For provisions, forage, fuel, transport and other services	2,998,000
11.	For clothing establishments, services, and supplies	830,000
12.	For the supply, manufacture, and repair of warlike and other stores, for Land and Sea service, including establishments of manufacturing departments	2,943,500
13.	For superintending establishment of, and expenditure for, engineer works, buildings, and repairs at home and abroad	862,300
14.	For establishments for military education	130,600
15.	For miscellaneous effective services	48,200
16.	For the salaries and miscellaneous charges of the War Office	258,100
17.	For rewards for distinguished and meritorious services, and rewards for long service and good conduct, exclusive of charges on India	16,800
18.	For half-pay, &c., of field marshals, and of general, regimental, and departmental officers, exclusive of charges on India	76,000
19.	For retired pay, retired full pay, and gratuities, for reduced and retired officers, including payments awarded by Army Purchase Commissioners, exclusive of charges on India	1,232,500
20.	For widows' pensions and gratuities, for allowances on the compassionate list, and for the relief fund, &c., exclusive of charges on India	127,600
21.	For pensions and gratuities to officers for wounds	15,200
22.	For Chelsea and Kilmainham hospitals, and the in-pensioners thereof	31,400
23.	For out-pensions for the maintenance of lunatics for whom pensions are not drawn, and for gratuities awarded in lieu of pensions, exclusive of charges on India	1,358,300
24.	For superannuation, compensation, and compassionate allowances, and gratuities	183,300
25.	For retired allowances, &c. to officers of the militia, yeomanry, and volunteer forces	47,100
	TOTAL ARMY SERVICES £	18,393,900

SCHEDULE (B.)—PART 6.
CIVIL SERVICES.—CLASS I.

SCHED. (B.) PART 6. Civil Services. Class I.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For the maintenance and repair of the royal palaces	35,982
2.	For the maintenance and repair of Marlborough House	2,020
3.	For the royal parks and pleasure gardens	101,430
4.	For the buildings of the Houses of Parliament	55,635
5.	For the cost of erecting a monument in memory of the late Major-General Charles George Gordon	2,200
6.	For the maintenance and repair of public buildings in Great Britain, including various special works; for providing the necessary supply of water; for rents of houses hired for accommodation of public departments, and charges attendant thereon	142,255
7.	For the preparation of plans for the erection of new offices for the Admiralty and War Departments	8,500
8.	For the supply and repair of furniture in the public departments of Great Britain	16,970
9.	For the expenses of the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings, in Great Britain, including furniture, fuel, and sundry miscellaneous services	208,627
10.	For new buildings for county courts, maintenance and repair of courts, supply of furniture, fuel, &c., and for charges attendant thereon	29,440
11.	For charges connected with Metropolitan Police Court Buildings	6,737
12.	For one half of the expense of erecting or improving court houses or offices for the sheriff courts in Scotland, and for the Government contribution towards the cost of maintaining the courts erected or improved	9,070
13.	For the survey of the United Kingdom, including the revision of the survey of Ireland, maps for use in proceedings before the Land Judges in Ireland, publication of maps, and engraving the geological survey	230,000
14.	For the expense of the erection and maintenance (including rents, &c.) of buildings for the Department of Science and Art	18,206
15.	For the maintenance and repair of the British Museum and Natural History Museum buildings, for rents of premises, supply of water, fuel, &c., and charges attendant thereon	10,090
16.	For a grant in aid of the cost of purchase of a site for a hall for the University of Edinburgh	4,000
17.	For maintaining certain harbours, &c. under the Board of Trade	21,708
18.	For constructing a new harbour of refuge at Peterhead	30,150
19.	For rates and contributions in lieu of rates, &c., in respect of Government property, and for salaries and expenses of the rating of Government property department	226,105
20.	For contribution to the funds for the establishment and maintenance of a fire brigade in the metropolis	10,000
21.	In aid of the cost of maintenance of disturnpiked and main roads in England and Wales during the year ending on the 25th day of March 1888 (including a supplementary sum of 256,000*l.*)	501,500
22.	In aid of the cost of maintenance of disturnpiked and other roads maintained out of public rates in Scotland during the year ended Whitsuntide 1887 (including a supplementary sum of 35,000*l.*)	70,000

SCHED. (B.) PART 6. Civil Services. Class I.

No.		Sums not exceeding £
23.	For erection, repairs, and maintenance of the several public works and buildings under the department of the Commissioners of Public Works in Ireland, and for the erection of fishery piers, and the maintenance of certain parks, harbours, and navigations, and for repayments to Baronies under the Tramways and Public Companies (Ireland) Act, 1883	196,662
24.	For enclosing, adapting, and furnishing existing buildings purchased, and for additions to them for the purposes of the Royal University, Ireland	2,230
25.	For expenses preparatory to, and of the erection of the Museum of Science and Art National Library, and of the School of Art and Lecture Theatre in Dublin	30,000
26.	For maintaining certain lighthouses abroad	10,866
27.	For diplomatic and consular buildings, including rents and furniture, and for the maintenance of certain cemeteries abroad	23,871
	TOTAL CIVIL SERVICES, CLASS I. £	2,004,254

SCHED. (B.) PART 7. Civil Services. Class II.

SCHEDULE (B.)—PART 7.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For salaries and expenses in the offices of the House of Lords	43,020
2.	For salaries and expenses in the offices of the House of Commons	49,969
3.	For salaries and expenses of the department of Her Majesty's Treasury and in the office of the Parliamentary Counsel	59,045
4.	For salaries and expenses of the office of Her Majesty's Secretary of State for the Home Department and subordinate offices	93,947
5.	For salaries and expenses of the department of Her Majesty's Secretary of State for Foreign Affairs	73,063
6.	For salaries and expenses of the department of Her Majesty's Secretary of State for the Colonies, including certain expenses connected with Emigration	41,524
7.	For salaries and expenses of the department of Her Majesty's Most Honourable Privy Council and subordinate departments	46,321
8.	For salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments	108,107
9.	For meeting the deficiency of income from fees, &c. for the requirements of the Board of Trade, under the Bankruptcy Act, 1883	272
10.	For salaries and expenses of the Charity Commission for England and Wales, including the Endowed Schools Department	36,525
11.	For salaries and expenses of the Civil Service Commission	40,531
12.	For salaries and expenses of the department of the Comptroller and Auditor General	53,934

SCHED. (B.) PART 7. Civil Services. Class II.

No.		Sums not exceeding £
13.	For salaries and expenses of the Registry of Friendly Societies	8,227
14.	For the salaries and expenses of the office of the Land Commissioners for England, and for defraying the repayable expenses to be incurred in matters of Inclosure and Land Improvement, and under the Extraordinary Tithe Redemption Act, 1886	24,797
15.	For salaries and expenses of the Local Government Board, including various grants in aid of local taxation	444,241
16.	For salaries and expenses of the office of the Commissioners in Lunacy in England	15,227
17.	For salaries and expenses of the Mint, including the expenses of the coinage	68,789
18.	For salaries and expenses of the National Debt Office	14,966
19.	For charges connected with the Patents, Designs, and Trade Marks Acts	55,204
20.	For salaries and expenses of the department of Her Majesty's Paymaster General in London and Dublin	26,190
21.	For salaries and expenses of the establishment under the Public Works Loan Commissioners	9,577
22.	For salaries and expenses of the Public Record Office in England	21,393
23.	For salaries and expenses of the department of the Registrar General of Births, &c. in England	47,693
24.	For stationery, printing, and paper, binding, and printed books, for the several departments of Government in England, Scotland, and Ireland, and some dependencies, and for the two Houses of Parliament; for the salaries and expenses of the Establishment of the Stationery Office, and the cost of Stationery Office publications, and of the Gazette Offices; and for sundry miscellaneous services, including a grant in aid of the publication of Parliamentary Debates	556,260
25.	For salaries and expenses of the office of Woods, Forests, and Land Revenues, and of the office of Land Revenue Records and Inrolments	23,761
26.	For salaries and expenses of the office of the Commissioners of Her Majesty's Works and Public Buildings	48,967
27.	In aid of the Mercantile Marine Fund	40,000
28.	For Her Majesty's foreign and other secret services	50,000
29.	For the salaries and expenses of the office of Her Majesty's Secretary for Scotland and subordinate offices	9,143
30.	For salaries and expenses of the department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain officers in Scotland, and other charges formerly on the hereditary revenue	6,567
31.	For salaries and expenses of the Fishery Board in Scotland, and for grants in aid of piers or quays	21,925
32.	For salaries and expenses of the Board of Lunacy in Scotland	5,982
33.	For salaries and expenses of the department of the Registrar General of Births, &c. in Scotland	5,895
34.	For salaries and expenses of the Board of Supervision for Relief of the Poor, and for expenses under the Public Health and Vaccination Acts, including certain grants in aid of local taxation in Scotland	29,317
35.	For salaries of the officers and attendants of the household of the Lord Lieutenant of Ireland and other expenses	7,478
36.	For salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and subordinate departments	40,967
37.	For salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	2,045

SCHED. (B.) PART 7. Civil Services. Class II.

No.		Sums not exceeding £
38.	For salaries and expenses of the Local Government Board in Ireland, including various grants in aid of local taxation	144,809
39.	For salaries and expenses of the Office of Public Works in Ireland	47,751
40.	For salaries and expenses of the Public Record Office and of the Keeper of the State Papers in Ireland	5,956
41.	For salaries and expenses of the department of the Registrar General of Births, &c., and for expenses of the collection of agricultural and other statistics in Ireland	16,126
42.	For salaries and expenses of the general valuation and boundary survey of Ireland	23,047
	TOTAL CIVIL SERVICES, CLASS II. £	2,468,558

SCHED. (B.) PART 8. Civil Services. Class III.

SCHEDULE (B.)—PART 8.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For the salaries of the law officers, the salaries and expenses of the department of the Solicitor for the affairs of Her Majesty's Treasury, and of the department of the Queen's Proctor for divorce interventions, and of the department of the Director of Public Prosecutions, the costs of prosecutions, including those relating to the coin, and to bankruptcy, and of other legal proceedings conducted by those departments, and various other legal expenses, including Statute Law Revision and Parliamentary Agency	83,681
2.	For criminal prosecutions at assizes and quarter sessions, and for adjudications under the Summary Jurisdiction Act, 1879, for sheriffs expenses, salaries to clerks of assize and other officers, compensation to clerks of the peace and others, and for expenses incurred under Extradition Treaties	159,354
3.	For such of the salaries and expenses of the Supreme Court of Judicature as are not charged on the Consolidated Fund	410,738
4.	For salaries and expenses of the office of the Wreck Commissioner	12,680
5.	For salaries and expenses connected with the County Courts	410,789
6.	For salaries and expenses of the Office of Land Registry	2,942
7.	For the expense of revising barristers in England	20,370
8.	For salaries and expenses of the police courts of London and Sheerness	15,689
9.	For contribution toward the expenses of the metropolitan police, and of the horse patrol, and Thames police, and for the salaries of the Commissioner, Assistant Commissioners, and Receiver	575,620

SCHED. (B.) PART 8. Civil Services. Class III.

No.		Sums not exceeding £
10.	For the expenses of police engaged in special duties in connexion with dynamite outrages	37,000
11.	For certain expenses connected with the police in counties and boroughs in England and Wales	860,286
12.	For the expenses of the prisons in England, Wales, and the Colonies	758,018
13.	For the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools in Great Britain, and for the salaries and expenses of the Inspectors of Reformatories	281,261
14.	For the maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum	36,549
15.	For salaries and expenses of the Lord Advocate's department and others connected with criminal proceedings in Scotland, including certain allowances under the Act 15 & 16 Vict. c. 83.	62,955
16.	For salaries and expenses of the Courts of Law and Justice in Scotland and other legal charges	63,465
17.	For salaries and expenses of the offices in Her Majesty's General Register House, Edinburgh	37,269
18.	For the expenses of the Establishment of the Crofters' Commission	6,000
19.	For certain charges connected with the Police in Scotland	149,537
20.	For the expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics and the preparation of judicial statistics	108,494
21.	For the expense of criminal prosecutions and other law charges in Ireland, including certain allowances under the Act 15 & 16 Vict. c. 83.	73,508
22.	For such of the salaries and expenses of the Supreme Court of Judicature in Ireland as are not charged on the Consolidated Fund	87,387
23.	For salaries and incidental expenses of the Court of Bankruptcy in Ireland	10,140
24.	For salaries and expenses of the Admiralty Court Registry in Ireland	1,285
25.	For salaries and expenses of the Office for the Registration of Deeds in Ireland	16,266
26.	For salaries and expenses in the Office for the Registration of Judgments in Ireland	2,388
27.	For the salaries and expenses of the office of the Irish Land Commission (including a supplementary sum of 35,575*l.*)	100,028
28.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and of revising barristers of the city of Dublin	100,854
29.	For salaries and expenses of the Commissioners of Police, of the police courts and of the metropolitan police establishment of Dublin	150,000
30.	For the expenses of the Constabulary Force in Ireland	1,412,315
31.	For the expense of the General Prisons Board in Ireland, and of the prisons under their control; and of the registration of habitual criminals	143,050
32.	For the expenses of reformatories and industrial schools in Ireland	107,612
33.	For the maintenance of criminal lunatics in Dundrum Criminal Lunatic Asylum, Ireland	6,630
	TOTAL CIVIL SERVICES, CLASS III. £	6,304,160

SCHED. (B.) PART 9. Civil Services. Class IV.

SCHEDULE (B.)—PART 9.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For public education in England and Wales, including the expenses of the Education Office in London	3,458,807
2.	For salaries and expenses of the Department of Science and Art, and of the establishments connected therewith	438,558
3.	For salaries and expenses of the British Museum, including the amount required for the Natural History Museum	147,385
4.	For salaries and expenses of the National Gallery	8,908
5.	For salaries and expenses of the National Portrait Gallery	1,916
6.	For grants in aid of the expenditure of certain learned societies in Great Britain and Ireland	23,900
7.	For salaries and expenses of the University of London	13,321
8.	In aid of the expenses of University Colleges, Wales	12,000
9.	In aid of the expenses of the Victoria University	2,000
10.	For preparing an account of the scientific results of the expedition of Her Majesty's ship "Challenger" in 1873, 1874, 1875, and 1876, to investigate the physical and biological conditions of the great ocean basins, and of arranging the collections made during the expedition	2,987
11.	For public education in Scotland	553,392
12.	For grants to Scottish Universities	19,018
13.	For the annuity to the Board of Trustees of manufactures in Scotland, in discharge of equivalents under the Treaty of Union, to be applied in maintenance of the National Gallery, School of Art and Museum of Antiquities, Scotland, and for the exhibition of the Torrie Collection of Works of Art, and for other purposes	2,100
14.	For public education under the Commissioners of National Education in Ireland	874,051
15.	For the salaries and expenses of the National School Teachers' Superannuation Office, Dublin	2,015
16.	For the salary and expenses of the Office of the Commissioners of Education in Ireland appointed for the regulation of endowed schools	720
17.	For salaries and expenses of the National Gallery of Ireland, and for the purchase of pictures	2,501
18.	In aid of the expenses of the Queen's Colleges in Ireland	10,028
19.	In aid of the expenses of the Royal Irish Academy	2,259
	TOTAL CIVIL SERVICES, CLASS IV. £	5,575,866

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS V.

SCHED. (B.) PART 10. Civil Services. Class V.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For expenses of Her Majesty's embassies and missions abroad	234,524
2.	For consular establishments abroad, and for other expenditure chargeable on the Consular Vote	184,125
3.	For the expenses of various services (other than Consular) in connection with the suppression of the slave trade, and the expenses of the Liberated African Department	16,400
4.	For salaries and expenses of the three representatives of Her Majesty's Government on the Council of Administration of the Suez Canal Company	2,405
5.	In aid of colonial local revenue, and for the salaries and allowances of governors, &c., and for other charges connected with the colonies, including expenses incurred under the Pacific Islanders Protection Act, 1875	26,416
6.	For certain charges connected with the Orange River Territory, the Transvaal, Zululand, Bechuanaland, the island of St. Helena, and the High Commissioner for South Africa	86,180
7.	For the subsidies to Telegraph Companies and for the salary of the Official Director	49,300
8.	In aid of the revenue of the island of Cyprus	18,000
	TOTAL CIVIL SERVICES, CLASS V. £	617,350

SCHEDULE (B.)—PART 11.

CIVIL SERVICES.—CLASS VI.

SCHED. (B.) PART 11. Civil Services. Class VI.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For superannuation and retired allowances to persons formerly employed in the public service, and for compassionate or other special allowances and gratuities awarded by the Commissioners of Her Majesty's Treasury	476,082
2.	For pensions to masters and seamen of the merchant service, and to their widows and children	17,800
3.	In aid of the local cost of maintenance of pauper lunatics in England and Wales	490,000
4.	In aid of the local cost of maintenance of pauper lunatics in Scotland	89,500
5.	In aid of the local cost of maintenance of pauper lunatics in Ireland	101,800
6.	For the support of certain hospitals and infirmaries in Ireland	16,658
7.	For making good the deficiency arising from payments for interest to Savings Banks and Friendly Societies	51,259
8.	For miscellaneous, charitable, and other allowances in Great Britain	2,482
9.	For certain miscellaneous, charitable, and other allowances in Ireland	2,535
	TOTAL CIVIL SERVICES, CLASS VI. £	1,248,116

SCHED. (B.) PART 12. Civil Services Class VII.

SCHEDULE (B.)—PART 12.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For salaries and incidental expenses of temporary commissions and committees, including special inquiries	37,055
2.	For certain miscellaneous expenses	8,804
3.	In aid of the expenses of the Royal Commission for the exhibition at Adelaide	2,650
4.	For the expenses in connection with the celebration of the jubilee of Her Majesty's reign	17,000
5.	For repayment to the Civil Contingencies Fund of certain miscellaneous advances	6,069
6.	For the execution of certain public works, and the promotion of certain industries in Ireland	50,000
	TOTAL CIVIL SERVICES, CLASS VII. £	121,578

SCHED. (B.) PART 13. Revenue Departments, &c.

SCHEDULE (B.)—PART 13.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted to defray the charges of the several REVENUE DEPARTMENTS, &c. herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1888; viz.:—

No.		Sums not exceeding £
1.	For salaries and expenses of the Customs Department	951,848
2.	For salaries and expenses of the Inland Revenue Department	1,763,879
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks, and Government annuities and insurances, and the collection of the Post Office revenue	5,420,770
4.	For the Post Office packet service	699,341
5.	For salaries and expenses of the Post Office telegraph service	1,950,248
	TOTAL REVENUE DEPARTMENTS £	10,786,086

CHAPTER 51.

An Act to amend the Valuation of Lands (Scotland) Amendment Act, 1867. [16th September 1887.]

WHEREAS an Act was passed in the thirtieth and thirty-first years of Her Majesty's reign, chapter eighty, to define the duties of the assessor of railways in Scotland in making up the Valuation Roll of Railways:

And whereas it is expedient to further define the duties of the assessor of railways in Scotland in making up the valuation rolls of waterworks, gasworks, or other undertakings, the duty of making up the valuations of which said waterworks, gasworks, or other undertakings, is now or may hereafter be imposed upon him:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act shall be cited for all purposes as the Valuation of Lands (Scotland) Amendment Act, 1887.

Section 5 of 30 & 31 Vict. c. 80. to apply to waterworks, &c.

2. The provisions of section five of the said Act of the thirtieth and thirty-first years of the reign of Her present Majesty, chapter eighty, set forth in the schedule hereto annexed, which at present apply to railways only shall be extended, and shall be held to apply to the valuations of all waterworks, gasworks, and other undertakings, the valuations of which are now, or may hereafter be, made up by the said assessor of railways.

SCHEDULE.

VALUATION OF LANDS (SCOTLAND) AMENDMENT ACT, 1867 (30 & 31 Vict. c. 80.).

Section 5.

Separate valuations to be assigned if required before 1st April to towns and populous places in which a general or local Police Act is in force.

The assessor of railways and canals shall, if required as herein-after provided, specify and assign separately the value of those portions of railways included within the limits of burghs, towns, or populous places (not being burghs in the sense of the twenty-seventh section of the first-recited Act, which section shall remain in full force and effect), which have adopted or shall hereafter adopt the provisions of the Acts of the thirteenth and fourteenth Victoria, chapter thirty-three, or of the twenty-fifth and twenty-sixth Victoria, chapter one hundred and one, or in which any local Police Act is or may hereafter be in force: Provided always, that it shall not be necessary for the said assessor to assign separately the value of the portions of railways included within the limits of any burgh, town, or populous place, in terms of this section, unless on or before the first day of April in each year the town clerk or clerk of the Commissioners or Trustees of Police thereof, as the case may be, shall have required him so to assign the same; and such town clerk or clerk of the Commissioners or Trustees of Police, when making such requisition, shall be bound to state the lineal measurement of the portions of the railway or railways belonging to or leased by any railway company, and forming part of the undertaking thereof,

situated within the limits of such burgh, town, or populous place, and the assessor shall satisfy himself as to the correctness of such measurement; and the said assessor, immediately on the completion of the valuation roll made up by him under the recited Acts and this Act, shall transmit to each town clerk or clerk of the Commissioners or Trustees of Police so requiring him as aforesaid a certified copy of the valuation, taken from such valuation roll, of the lands and heritages within such burgh, town, or populous place, as the case may be, belonging to or leased by and forming part of the undertaking of such company; and such valuation relating to such company shall be engrossed by such town clerk or clerk of the Commissioners or Trustees of Police, as the case may be, in the roll or book of assessment of such burgh, town, or populous place, made up in terms of the Acts of the thirteenth and fourteenth Victoria, chapter thirty-three, or of the twenty-fifth and twenty-sixth Victoria, chapter one hundred and one, or of the local Act in force in such burgh, town, or populous place; and such valuation shall be authenticated by the signature of such town clerk or clerk of the Commissioners or Trustees of Police, as the case may be, and shall be thenceforward deemed and taken to be a part of such roll or book of assessment of such burgh, town, or populous place, as the case may be.

CHAPTER 52.

An Act to amend the Secretary for Scotland Act, 1885.

[16th September 1887.]

48 & 49 Vict. c. 61.

WHEREAS by the Secretary for Scotland Act, 1885, certain powers and duties vested in and imposed on one of Her Majesty's Principal Secretaries of State were, so far as such powers and duties related to Scotland, transferred to, vested in, and imposed on the Secretary for Scotland appointed under the said Act, and it is expedient that, subject to the exceptions herein-after mentioned, the whole other powers and duties of the said Secretary of State, so far as such powers and duties relate to Scotland, should be transferred to, vested in, and imposed on the Secretary for Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction of Act.

1. This Act may be cited as the Secretary for Scotland Act, 1887; and this Act and the Secretary for Scotland Act, 1885, shall be read and construed together, and may be cited as the Secretary for Scotland Acts, 1885 and 1887.

Transference of powers and duties of Secretary of State, Treasury, and Board of Trade.

2.—(1.) From and after the commencement of this Act all powers and duties vested in and imposed on one of Her Majesty's Principal Secretaries of State by any Act of Parliament, law, or custom, so far as such powers and duties relate to Scotland, and so far as they have not already been transferred to, vested in, and imposed on the Secretary for Scotland, shall, subject to the exceptions herein-after mentioned, be transferred to, vested in, and imposed on the Secretary for Scotland.

Any report, act, or thing required or authorised by any Act of Parliament, law, or custom to be made or done to or by the said Secretary of State shall, so far as such Act of Parliament, law, or custom applies to Scotland, be made or done to or by the Secretary for Scotland.

(2.) All the powers and duties vested in or imposed on the Commissioners of Her Majesty's Treasury, under the Valuation of Lands (Scotland) Act, 1854, shall be transferred to, vested in, and imposed on the Secretary for Scotland. 17 & 18 Vict. c. 91.

(3.) All the powers and duties vested in or imposed upon the Board of Trade relating to Provisional Orders dealing with any of the subjects transferred to the Fishery Board, Scotland, by section eleven of the Sea Fisheries (Scotland) Amendment Act, 1885, shall be transferred to, vested in, and imposed upon the Secretary for Scotland. 48 & 49 Vict. c. 70.

3. Nothing in this Act shall affect the powers and duties of the said Secretary of State under or in pursuance of the Acts of Parliament herein-after mentioned or any Acts amending the same, viz.: — Exceptions.

(*a.*) The Factory and Workshop Act, 1878. 41 & 42 Vict. c. 16.

(*b.*) The Coal Mines Regulation Act, 1872. 35 & 36 Vict. c. 76.

(*c.*) The Metalliferous Mines Regulation Act, 1872. 35 & 36 Vict. c. 77.

(*d.*) The Explosives Act, 1875. 38 & 39 Vict. c. 17.

(*e.*) The Cruelty to Animals Act, 1876. 39 & 40 Vict. c. 77.

(*f.*) The Reformatory and Industrial Schools Acts, 1866–1879.

4. This Act shall take effect on and after the first day of November one thousand eight hundred and eighty-seven. Commencement of Act.

CHAPTER 53.

An Act for repealing certain Enactments relating to Escheators and the Procedure in cases of Escheat; and for regulating the Procedure in such cases.

[16th September 1887.]

WHEREAS most of the enactments relating to escheators and the process of finding the title of the Crown in cases of escheat are now practically inoperative, and it is expedient to repeal them, and to authorise rules to be made for regulating the procedure in such cases:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Escheat (Procedure) Act, 1887. Short title.

2.—(1.) The Lord Chancellor may from time to time, with the assent of the Treasury, make rules for the procedure on and incidental to and consequential on the holding of inquiries into the title of Her Majesty in right of the Crown, or the title of the Duke of Cornwall, or of the personage for the time being entitled to the Power to regulate procedure with respect to escheats to Crown.

possessions of the Duchy of Cornwall, to any real estate or any interest therein in cases of escheat or alleged escheat, whether in relation to the Crown or otherwise, or the holding of any inquest of office not otherwise regulated by law.

(2.) Such rules shall provide that an inquisition touching real estate shall find of whom the real estate was held, and that every inquisition shall be forthwith returned into the central office of the Supreme Court of Judicature, and that every person aggrieved by any such inquisition shall be entitled to traverse the same, or to object thereto, in such manner as may be from time to time directed by rules of court.

47 & 48 Vict. c. 71.

(3.) Subject to the provisions of section six of the Intestates Estates Act, 1884, no grant shall be made of any real estate alleged to be escheated until after the inquisition finding the title thereto has been returned to the central office of the Supreme Court of Judicature.

(4.) An inquisition shall not prejudice any rights which, at the time of the death of the person that led to the inquisition, were vested in some other person.

(5.) If the inquisition does not find of whom the real estate was held, any person aggrieved shall be entitled to obtain from the High Court an order for the taking of another inquisition.

(6.) This Act shall apply to inquiries into the title of Her Majesty in right of Her Duchy of Lancaster, with this qualification, that any rules which may be made under this Act shall be made by the Chancellor of the Duchy of Lancaster with the approval of the Lord Chancellor.

(7.) All rules made under this section shall be laid before Parliament within three weeks after they are made, if Parliament is then sitting, and if Parliament is not then sitting within three weeks after the beginning of the then next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act.

Repeal.

3. The Acts mentioned in the schedule to this Act are hereby repealed to the extent in that schedule mentioned.

Provided that—

(1.) This repeal shall not affect the validity or invalidity of anything done or suffered, or any right accrued or liability incurred before the commencement of this Act, or any proceedings pending at the commencement of this Act; and

(2.) Any such proceeding may be carried on in like manner as if this Act had not been passed; and

(3.) Except so far as may be otherwise directed by rules under this Act, any procedure or practice heretofore in use under the provisions of any Act hereby repealed or otherwise may be used as if this Act had not been passed.

SCHEDULE.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee.

The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts given in that edition.

The repeal by the present Act of a part of a statute set out or referred to in terms of the translation given in that edition is to operate on the original Latin or Norman-French, of which the translation is set out or referred to, as if the original itself were in like manner set out or referred to.

A description or citation of a portion of an Act is inclusive of the words, section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end of the portion comprised in the description or citation.

29 Edw. 1. -	A statute for escheators.
14 Edw. 3. Stat. 1. c. 8.	Escheators: their number; appointment; continuance in office; Coroners: their sufficiency. In part: namely, except so far as relates to Coroners.
25 Edw. 3. Stat. 5. c. 2.	Declaration what offences shall be adjudged treason, &c. In part, namely: from "and if in such case" to end of chapter.
36 Edw. 3. c. 13. -	Escheators shall have no fee of lands in wards, nor commit waste. Fine, and treble damages to the heir injured. Extended to lands seised by inquest of office. Such inquisitions may be traversed in Chancery. The land may be demised to the tenant until judgment. Escheators shall take inquests as directed by the statute 34 Edw. 3. c. 13 (*a*) on penalty of fine and imprisonment.
8 Hen. 6. c. 16. -	Escheators shall take no inquests but by persons returned by the sheriffs in their proper counties; on penalty of forty pounds. No lands seised into the King's hands upon inquests shall be let to farm until after inquests returned; if the party grieved traverse the inquests, within a month, the lands shall be let to farm to him, as under 36 Ed. 3. c. 13. All letters patent to the contrary void. Escheators shall return offices found before them within a month.
18 Hen. 6. c. 6. -	Recital of the statute 8 Hen. 6. c. 16 as to grant of lands by the King after office found. No grant of lands shall be made by the King, until office found and returned, if the King's title be not of record; nor within the month after such return, unless to the traverser.
18 Hen. 6. c. 7. -	Escheators not duly returning offices shall pay damages to the King, &c. above the penalty under Statute 8 Hen. 6. c. 16. Treasurer shall be associate with the Chancellor, &c.
23 Hen. 6. c. 16. -	When and where escheators shall take inquests: Fees of escheators. Penalty. On traverse of inquest no protection in scire facias. Leases to traversers.
1 Hen. 8. c. 8. -	An Acte agaynst Escheators and Comyssioners for makinge false retornes of Office and Comyssions.
1 Hen. 8. c. 10. -	An Act that noe Lease shalbe made of Lande seised into the Kinge Hande, but in certayne cases.
2 & 3 Edw. 6. c. 8. -	An Acte towchinge the findinge of Offices before the Escheator.

(*a*) Repealed by 42 & 43 Vict. c. 59.

CHAPTER 54.

An Act to enable Her Majesty to provide for the Government of Her Possessions acquired by Settlement.

[16th September 1887.]

WHEREAS divers of Her Majesty's subjects have resorted to and settled in, and may hereafter resort to and settle in, divers places where there is no civilised government, and such settlements have become or may hereafter become possessions of Her Majesty, and it is expedient to extend the power of Her Majesty to provide for the government of such settlements, and for that purpose to repeal and re-enact with amendments the existing Acts enabling Her Majesty to provide for such government:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the British Settlements Act, 1887.

Power of the Queen in Council to make laws and establish courts.

2. It shall be lawful for Her Majesty the Queen in Council from time to time to establish all such laws and institutions, and constitute such courts and officers, and make such provisions and regulations for the proceedings in the said courts and for the administration of justice, as may appear to Her Majesty in Council to be necessary for the peace, order, and good government of Her Majesty's subjects and others within any British settlement.

Delegation of power by the Queen.

3. It shall be lawful for Her Majesty the Queen from time to time, by any instrument passed under the Great Seal of the United Kingdom, or by any instructions under Her Majesty's Royal Sign Manual referred to in such instrument as made or to be made, as respects any British settlement, to delegate to any three or more persons within the settlement all or any of the powers conferred by this Act on Her Majesty in Council, either absolutely or subject to such conditions, provisions, and limitations as may be specified in such instrument or instructions.

Provided that, notwithstanding any such delegation, the Queen in Council may exercise all or any of the powers under this Act: Provided always, that every such instrument or instruction as aforesaid shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

Power to the Queen in Council to confer jurisdiction on certain courts.

4. It shall be lawful for Her Majesty the Queen in Council to confer on any court in any British possession any such jurisdiction, civil or criminal, original or appellate, in respect of matters occurring or arising in any British settlement as might be conferred by virtue of this Act upon a court in the settlement, and to make such provisions and regulations as Her Majesty in Council may think fit respecting the exercise of the jurisdiction conferred under this section on any court, and respecting the enforcement and execution of the judgments, decrees, orders, and sentences of such court, and respecting appeals therefrom; and every Order of Her Majesty in

Council under this section shall be effectual to vest in the court the jurisdiction expressed to be thereby conferred, and the court shall exercise the same in accordance with and subject to the said provisions and regulations: Provided always, that every Order in Council made in pursuance of this Act shall be laid before both Houses of Parliament as soon as conveniently may be after the making thereof.

Making of Orders in Council, &c.

5. It shall be lawful for Her Majesty the Queen in Council from time to time to make, and when made to alter and revoke, Orders for the purposes of this Act.

Definitions.

6. For the purposes of this Act, the expression "British possession" means any part of Her Majesty's possessions out of the United Kingdom, and the expression "British settlement" means any British possession which has not been acquired by cession or conquest, and is not for the time being within the jurisdiction of the Legislature, constituted otherwise than by virtue of this Act or of any Act repealed by this Act, of any British possession.

Repeal.

7. The Acts mentioned in the schedule to this Act are hereby repealed: Provided that—

(*a.*) Such repeal shall not affect anything done or suffered previously to such repeal in pursuance of any such Act, or in pursuance of any Order in Council, commission, instructions, law, ordinance, or other thing made or done in pursuance of any such Act; and

(*b.*) All Orders in Council, commissions, and instructions purporting to be made or given in pursuance of the Acts hereby repealed, or either of them, shall continue in force in like manner as if they had been made and given in pursuance of this Act, and such commissions had originally been instruments authorised by this Act, and shall be subject to be revoked or recalled accordingly.

SCHEDULE.

Session and Chapter.	Title.
6 & 7 Vict. c. 13.	An Act to enable Her Majesty to provide for the Government of her Settlements on the Coast of Africa and in the Falkland Islands.
23 & 24 Vict. c. 121.	An Act to amend an Act passed in the sixth year of Her Majesty Queen Victoria, intituled An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands.

CHAPTER 55.

An Act to consolidate the Law relating to the office of Sheriff in England, and to repeal certain enactments relating to Sheriffs which have ceased to be in force or have become unnecessary. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Sheriffs Act, 1887.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Appointment and Qualification.

Annual appointment of sheriff and duration of office.

3. (1.) A sheriff shall be annually appointed for every county.

(2.) Save as provided by this Act, a sheriff shall not hold office for more than one year, and a grant after the passing of this Act of the office for more than one year shall be void.

(3.) The office of sheriff or of any officer of a sheriff shall not become void by reason of the demise of the Crown, or in Cornwall of the Duchy of Cornwall, but the person holding the office shall, unless sooner removed or superseded, continue in office for the remainder of his term, in like manner as if such demise had not taken place.

Qualification of sheriffs.

4. A person shall not be appointed sheriff nor bailiff of a franchise except he have sufficient land within his county or bailiwick to answer the Queen and her people.

Same person not to be chosen twice in three years.

5. A person who has been sheriff of a county for a whole year shall not within three years next ensuing be appointed sheriff of that county unless there is no other person in the county qualified to fill the office.

Nomination and appointment of sheriffs.

6. (1.) On the twelfth day of November in every year (or if that day fall on a Sunday then on the ensuing Monday) persons fit to serve as sheriffs shall be nominated for every county at the Royal Courts of Justice in the manner that has been heretofore used and observed, and shall be so nominated by the following great officers, namely, the Lord High Chancellor of Great Britain, the Lord High Treasurer, or if there is no Lord High Treasurer, the Chancellor of the Exchequer, the Lord President and others of Her Majesty's Most Honourable Privy Council, and the Lord Chief Justice of England, or any two or more of such great officers, taking to them the judges of Her Majesty's High Court of Justice, or any two or more of them.

(2.) Whenever Her Majesty has duly pricked a person to be sheriff of a county, the same shall be forthwith notified in the London Gazette; and a warrant in the form in the First Schedule to this Act shall be forthwith made out and signed by the Clerk

of the Privy Council and transmitted by him to the person so pricked; and the appointment of sheriff so made shall be of the same effect as if made by patent under the Great Seal; and every sheriff so appointed upon making the declaration of office in this Act mentioned shall by virtue of this Act only and without payment of any fee have and exercise all powers, privileges, and authorities usually exercised and enjoyed by sheriffs of counties in England.

(3.) A duplicate of the said warrant shall within ten days after the date thereof be transmitted by the Clerk of the Privy Council to the clerk of the peace of the county for which such person is appointed sheriff and shall be enrolled and kept by the said clerk of the peace without fee.

(4.) Nothing in this section shall apply to the counties of Cornwall, Lancaster, or Middlesex.

Declaration of office.

7. (1.) Every sheriff shall, before he enters on the execution of his office, make and subscribe a declaration in the form in the Second Schedule to this Act or to the like effect before one of the judges of Her Majesty's High Court of Justice or before a justice of the peace for the county of which he is sheriff.

(2.) Every sheriff shall continue to be and act as sheriff until his successor has made the said declaration and entered upon office.

Powers, Duties, and Liabilities.

Powers of sheriff for posse comitatus.

8. (1.) Every person in a county shall be ready and apparelled at the command of the sheriff and at the cry of the country to arrest a felon whether within a franchise or without, and in default shall on conviction be liable to a fine, and if default be found in the lord of the franchise he shall forfeit the franchise to the Queen, and if in the bailiff he shall be liable besides the fine to imprisonment for not more than one year, or if he have not whereof to pay the fine, than two years.

(2.) If a sheriff finds any resistance in the execution of a writ he shall take with him the power of the county, and shall go in proper person to do execution, and may arrest the resisters and commit them to prison, and every such resister shall be guilty of a misdemeanor.

Duties at assizes.

9. In the time of the assizes a court of quarter sessions in the county may direct a sufficient number of police constables to be employed to keep order in and within the precincts of the court of assize, and the chief constable shall comply with such direction, but if such direction is not given the sheriff shall have a sufficient number of men servants in liveries attending upon him for the purpose of so keeping order and of protecting the judges of assize.

Duties as to execution of writs.

10. (1.) A sheriff at the request of a person delivering a writ to him for execution shall give a receipt for that writ stating the day of its delivery.

(2.) A sheriff shall not return to a writ that he has delivered it to a bailiff of some liberty not heretofore recorded in the Exchequer.

Duties on receipt of debt to Crown.

11. (1.) Where a sheriff or his officer or other person employed in collecting by process from any court any debt due to the Crown receives from any person a sum due to the Crown he shall give a receipt to such person for that sum; and the sheriff, at the next account after a sum due to the Crown has been paid to him or his officer, shall procure the effectual discharge of the debtor paying the same.

(2.) An officer of a sheriff receiving any such sum shall account for it to the sheriff, and the sheriff shall give a receipt for such sum.

(3.) In case of any default under this section, the sheriff and his heirs, executors, and administrators, shall be liable to pay any damages suffered by a debtor in consequence of such default.

Duties as to return of jurors.

12. A sheriff or any officer of a sheriff shall not return in any panel for an inquest or jury any officer or servant of the sheriff or of such officer.

Duties as to execution of judgment of death.

13. (1.) Where judgment of death has been passed upon a convict at any court of assize or any sessions of oyer and terminer or gaol delivery held for any county or riding or division or other part of a county, the sheriff of such county shall be charged with the execution of such judgment, and may carry such judgment into execution in any prison which is the common gaol of his county or in which the convict was confined for the purpose of safe custody prior to his removal to the place where such court was held, and shall, for the purpose of such execution, have the same jurisdiction and powers over and in the prison in which the judgment is to be carried into execution, whether such prison is or is not situate within his county, and over the officers of such prison, as he has by law over and in the common gaol of his county and the officers thereof, or would have had if the Prison Act, 1865, and the Prison Act, 1877, had not passed, and shall be subject to the same responsibility and duties as if the said Acts had not passed.

28 & 29 Vict. c. 126.
40 & 41 Vict. c. 21.

(2.) This section shall be in addition to and not in derogation of any power authorised to be exercised by Order in Council under the Winter Assizes Act, 1876, and the Spring Assizes Act, 1879, or either of them, and of the provisions of the Central Criminal Court (Prisons) Act, 1881.

39 & 40 Vict. c. 57.
42 & 43 Vict. c. 1.
44 & 45 Vict. c. 64.

Duties on arrest of civil debtors.

14. (1.) Where an officer being a sheriff, under-sheriff, bailiff, serjeant-at-mace, or other officer whatsoever arrests or has in custody any person by virtue of any action, writ, or attachment for debt, such officer shall not—

(*a.*) convey such person without his free consent to any house licensed for the sale of intoxicating liquor, or to the private house of such officer or of any tenant or relation of such officer; nor

(*b.*) charge such person with any sum for, or procure him to call or pay for, any liquor, food, or thing whatsoever, except what he freely asks for; nor

(*c.*) take such person to any prison within twenty-four hours of the time of his arrest, unless such person refuses to be carried to some safe and convenient dwelling-house of his own nomination, not being the private dwelling-house of such person,

and being within the borough or town where such person was arrested, or if he was not arrested within a borough or town then within three miles of the place and in the county or franchise in which he was arrested;

but shall at all times permit such person to send for and to have brought to him at reasonable times in the day any food or liquor from what place he thinks fit, and also to have and use such bedding, linen, and other necessary things as he has occasion for or is supplied with, and shall not purloin or detain the same or require any payment for the use thereof or restrict the use thereof.

(2.) Every court of quarter sessions in a county shall from time to time make an order allowing sums which may be taken from prisoners arrested in such county on any action, writ, or attachment, in respect of one or more nights lodging or for a day's diet or for other expenses of such person, and may from time to time vary such order as seems expedient.

(3.) A copy of every such order signed by the clerk of the peace shall be fixed in some conspicuous place in the sessions house or other proper place of the county as the court may order, so that the same may be there seen and examined as occasion may require.

(4.) For the purpose of making known the provisions of this section a printed copy thereof shall be delivered by every sheriff, under-sheriff, secondary of the City of London, and other person entrusted with causing the execution of any writ or attachment, to the bailiff, serjeant-at-mace, officer, or other person employed to execute the same.

(5.) It shall be part of the conditions of every security given to any sheriff, or under-sheriff, by any bailiff, serjeant-at-mace, officer, or other person employed to execute any writ or attachment under him that such bailiff, serjeant-at-mace, officer, and other person will show a printed copy of this section to every person whom he arrests and goes with to any house where intoxicating liquor is sold, and also will permit such person or his friend to read over such copy before any liquor or food is called for or brought to him, and any breach by such bailiff, serjeant-at-mace, officer, or person of such condition shall be a misdemeanor in the execution of the writ or attachment, besides being a breach of the conditions of the security.

Liability for wrongful imprisonment.

15. A person unlawfully imprisoned by a sheriff or any of his officers shall have an action against such sheriff in like manner as against any other person that should imprison him without warrant.

Liability for escape.

16. (1.) If a person in the custody of the sheriff or any of his officers or of any other person, either in execution or for non-performance of a judgment or order of the High Court of Justice, or for contempt of that court or otherwise in the course of a civil proceeding, escapes out of legal custody, such sheriff or other person shall be liable to pay the damages sustained by the person at whose suit such prisoner was taken into custody, and all costs of any action or other proceeding to recover the same, but not any further sum.

40 & 41 Vict. c. 21. s. 31.

(2.) A sheriff shall not be liable for the escape of any prisoner when confined in any prison subject to the Prison Act, 1877.

Disability to act as justice of the peace.

17. A person shall not, while he is sheriff of a county, act as a justice of the peace for that county, and if he does so act, all his acts done as such justice of the peace shall be void.

Holding of courts.

18. (1.) A sheriff shall not be bound to hold a county court except where the holding of such court is required for the purpose of an election or of the due execution of some writ or for any other specific purpose, in which case he shall hold a court at the time fixed for such purpose by law or by such writ, or if no time is so fixed, as soon as is reasonably practicable after he is informed of the necessity for holding such court, or receives such writ, and where more than one court is required to be held for any such purpose, he shall hold courts at intervals not exceeding one month from each other.

(2.) A sheriff's county court shall be held at the place heretofore appointed or authorised by law, or at such other place as the sheriff may from time to time fix with the consent of the authority having for the time being power to divide the county into polling districts for the purpose of parliamentary elections.

(3.) A sheriff shall not hold pleas of the Crown, and shall not under any commission or writ take any inquest whereby any person is indicted.

(4.) The sheriff's tourn is hereby abolished.

Letting of county.

19. (1.) A hundred or wapentake shall not as respects the powers and duties of sheriffs be severed from the county.

(2.) A sheriff shall not let to ferm his county or any part thereof.

Fees and poundage.

20. (1.) A sheriff shall be entitled in respect of all sums due to the Crown, and collected by him under process of any court, to an allowance upon his accounts of one shilling and sixpence in the pound for every sum not exceeding one hundred pounds, and of one shilling for every pound exceeding the first hundred pounds.

(2.) Any sheriff or officer of a sheriff concerned in the execution of process directed to the sheriff, other than process for the recovery of the aforesaid sums due to the Crown, may demand, take, and receive such fees and poundage as may from time to time be fixed by the Lord Chancellor, with the advice and consent of the judges of the Court of Appeal and High Court of Justice, or any three of them, and with the concurrence of the Treasury.

(3.) Any sheriff or officer of a sheriff, and any officer arresting or having in custody any person by virtue of any action, writ, or attachment, shall not demand or take any reward to do his office, except such remuneration as is given to the sheriff by the Crown, or is given to an officer of the sheriff by the sheriff, and such fees and poundage as are above mentioned or are allowed by or in pursuance of any other Act, and, save as allowed by this Act, shall not demand or take directly or indirectly any reward for doing his office or duty or for abstaining therefrom, or in respect of the mode in which he does his office or duty.

(4.) Where a sheriff seizes any personal estate for any sum due to the Crown and dies or is superseded before he has sold the same and his successor sells the same, the poundage and fees due in

respect of the seizure and sale shall be apportioned between the preceding and subsequent sheriffs in such manner and proportions as a judge of the High Court of Justice may on application determine, having regard to the expense and trouble that each sheriff had.

Accounts.

Transmission of accounts of sheriff.

21. (1.) Every sheriff shall within two months after the expiration of his office, or in case of the death of any sheriff the under-sheriff by him appointed shall within two months next after the death of such sheriff, transmit to the Treasury a just and true account under his hand—

(*a.*) of all sums received by such sheriff for the use of the Crown, and of all sums paid or claimed by him or on his behalf (including such sums as have been usually inserted in the bill of cravings), with all such particulars as are needful to explain the same, and

(*b.*) of the names and residences of all persons incurring fines, issues, amerciaments, forfeited recognizances, or sums of money which he has been authorised to levy by virtue of any writ issued to him or to any predecessor in office, and if the same have not been levied, the causes of their not having been levied;

and the Treasury may grant a warrant for the allowance of the sums so paid or claimed in the account, or for the payment of such sum of money in respect thereof as they may think reasonable:

(2.) Provided as follows:—

(*a.*) a sheriff or under-sheriff shall not be imprisoned upon any process for not finishing his accounts in due time, or for any contempt or neglect in relation to his accounts, except by a warrant naming such sheriff or under-sheriff and specifying his offence, and issued by one of the judges of the High Court of Justice;

(*b.*) an under-sheriff shall not be personally responsible for any sum received by a deceased sheriff, but the same shall be answered by the representatives of the deceased sheriff or otherwise in due course of law; and

(*c.*) nothing in this section shall alter the right of any body corporate or person under any charter to receive any fines or other sums.

Audit of accounts of sheriff.

22. (1.) All accounts of sheriffs and their under-sheriffs which are transmitted to the Treasury under this Act shall be examined and audited by such persons and in such manner as the Treasury may from time to time by warrant direct; and the Treasury may by any warrant make such provisions in relation to the transmission, examination, verification, and audit of such accounts, and for ascertaining and determining the balances due from and the discharge of the persons accounting, as to the Treasury may seem proper.

(2.) Every such warrant shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament be sitting, and if Parliament be not sitting then within fourteen days after the next meeting of Parliament.

(3.) If under any such warrant it is necessary for a sheriff or under-sheriff to take any oath to any account or any matter relating thereto, such oath, except when the Treasury require his personal examination before the person appointed by them to audit, may be sworn before any judge of Her Majesty's High Court of Justice, or before any master of the Supreme Court of Judicature, or before any commissioner for taking oaths in the Supreme Court of Judicature, or before any justice of the peace.

(4.) If any officer, clerk, or other person concerned in the passing of sheriffs accounts by his wilful act or default hinders any sheriff in passing his accounts, or obtaining his *quietus*, he shall make such satisfaction to the party aggrieved as may be ordered by Her Majesty's High Court of Justice or any judge thereof on complaint made in such summary manner as the said court may order.

Under-Sheriff and Officers.

Obligation to appoint under-sheriff and declaration of office by under-sheriff.

23. (1.) Every sheriff shall within one month after the notification of his appointment in the London Gazette by writing under his hand appoint some fit person to be his under-sheriff, and shall transmit a duplicate of such written appointment to the clerk of the peace for the county, which shall be filed by him among the records of his office.

(2.) For filing such duplicate the clerk of the peace shall be entitled to demand and receive from the under-sheriff such fee as may be from time to time fixed in pursuance of the enactments relating to fees of clerks of the peace, and until any fee is so fixed a fee of five shillings.

(3.) Every under-sheriff shall before he enters on the execution of his office make a declaration in the form in the Second Schedule to this Act or to the like effect before one of the judges of Her Majesty's High Court of Justice, or before a justice of the peace for the county for which such under-sheriff is appointed.

Obligation to appoint deputy resident in London.

24. Every sheriff shall appoint a sufficient deputy, who shall be resident or have an office within one mile from the Inner Temple Hall, for the receipt of writs, the granting of warrants thereon, the making of returns thereto, and the acceptance of all rules and orders to be made on or touching the execution of any process or writ to be directed to such sheriff.

Execution of office by under-sheriff on death or suspension of sheriff.

25. (1.) Where the sheriff of a county dies before the expiration of his year of office or before he is lawfully superseded, the under-sheriff by him appointed shall nevertheless continue in office and shall until another sheriff be appointed for the said county and has made the declaration of office, execute the office of sheriff, in the name of the deceased sheriff, and be answerable for the execution of the said office as the deceased sheriff would by law have been if living; and the security given to the sheriff so deceased by the said under-sheriff and his pledges shall remain and be a security to the Crown and to all persons whomsoever for such under-sheriff's due execution of the offices of sheriff and under-sheriff.

(2.) When it becomes the duty of an under-sheriff to act as sheriff under the provisions of this section he may by writing under his hand appoint a deputy.

Declaration by bailiffs, &c.

26. Every deputy bailiff and officer of a sheriff or under-sheriff, and every other person who has authority or takes upon himself to impanel or return any inquest, jury, or tales, or to intermeddle with the execution of writs issued by any court of record, shall before he does so make a declaration (which shall be exempt from stamp duty) in the form in the Second Schedule to this Act, or to the like effect before any judge of the High Court of Justice or justice of the peace for the county or borough in which he exercises such authority.

Sale of offices prohibited.

27. (1.) A person shall not directly or indirectly by himself or by any person in trust for him or for his use buy, sell, let, or take to ferm the office of under-sheriff, deputy-sheriff, bailiff, or any other office or place appertaining to the office of sheriff, nor contract for, promise, or grant for any valuable consideration whatever any such office or place, nor give, promise, or receive any valuable consideration whatever for any such office or place.

(2.) Any person who acts in contravention of this section, not being an under-sheriff, deputy-sheriff, bailiff or officer of a sheriff, shall be liable to the same punishment as if he were an under-sheriff, deputy-sheriff, bailiff, or officer.

(3.) Provided that this section shall not prevent the sheriff or under-sheriff from demanding and taking the lawful fees and perquisites of the office of sheriff or of any place or employment belonging thereto, nor from taking security for duly answering for the same, and shall not prevent any officer of a sheriff from accounting to the sheriff for the fees and perquisites received by him in respect of his office, nor from giving security so to account, and shall not prevent a sheriff from giving nor an officer from receiving a salary or remuneration for the execution of his office.

Outgoing Sheriff.

Outgoing sheriff to turn over prisoners and process to incoming sheriff.

28. (1.) Every sheriff shall at the expiration of his term of office make out and deliver to the incoming sheriff a correct list and account under his hand of all prisoners in his custody and of all rolls and writs in his hands not wholly executed by him, with all such particulars as may be necessary to explain to the incoming sheriff the several matters intended to be transferred to him, and shall thereupon turn over and transfer to the custody of the incoming sheriff all such prisoners rolls and writs, and all records, books, and matters appertaining to the office of sheriff.

(2.) The incoming sheriff shall thereupon sign and give to the outgoing sheriff a duplicate of such list and account, which shall be a good and sufficient discharge to him of and from all the prisoners therein mentioned and the execution of the writs and other matters therein contained; and thereupon the incoming sheriff shall stand charged with the said prisoners and with the execution and care of the said rolls, writs and other matters contained in the said list and account.

(3.) A sheriff shall not be called upon to make a return of any writ after the expiration of six months from the date at which he ceases to hold his office.

Miscellaneous.

Punishment for misconduct.

29. (1.) If a person being a sheriff, under-sheriff, bailiff, or officer of a sheriff, whether within a franchise or without, does any of the following things, that is to say—

(*a.*) conceals or procures the concealment of any felon; or

(*b.*) refuses to arrest any felon in his bailiwick; or

(*c.*) lets go at large a prisoner who is not bailable; or

(*d.*) is guilty of an offence against or breach of the provisions of this Act,

he shall (without prejudice to any other punishment under the provisions of this Act) be guilty of a misdemeanor, and be liable on conviction to imprisonment for a term not exceeding one year and to pay a fine, or if he has not wherewith to pay a fine, to imprisonment for a term not exceeding three years.

(2.) If any person being either a sheriff, under-sheriff, bailiff, or officer of a sheriff, or being employed in levying or collecting debts due to the Crown by process of any court, or being an officer to whom the return or execution of writs belongs, does any of the following things, that is to say—

(*a.*) withholds a prisoner bailable after he has offered sufficient security; or

(*b.*) takes or demands any money or reward under any pretext whatever other than the fees or sums allowed by or in pursuance of this or any other Act; or

(*c.*) grants a warrant for the execution of any writ before he has actually received that writ; or

(*d.*) is guilty of any offence against or breach of the provisions of this Act, or of any wrongful act or neglect or default in the execution of his office or of any contempt of any superior court;

he and any person procuring the commission of any such offence shall, without prejudice to any other punishment under the provisions of this Act, but subject as herein after mentioned, be liable—

(i.) to be punished by the court as herein-after mentioned; and

(ii.) to forfeit two hundred pounds, and to pay all damages suffered by any person aggrieved,

and such forfeiture and damages may be recovered by such person as a debt by an action in Her Majesty's High Court of Justice.

(3.) Any of the following courts, that is to say, Her Majesty's High Court of Justice, any court of assize, oyer and terminer or gaol delivery, or any judge of any of the said courts, also where the alleged offence has been committed in relation to any writ issued out of any other court of record than those above-mentioned, the court out of which such writ issued, may, on complaint made of any such offence as aforesaid having been committed and on proof on oath given by the examination of witnesses or by affidavit or on interrogatories of the commission of the alleged offence, and after hearing any thing which the alleged offender may urge in his defence (which evidence and hearing may be taken and had in a summary manner) punish the offender or cause proceedings to

be taken for his punishment in like manner as a person guilty of contempt of the said court may be punished.

(4.) The court may order the costs of or occasioned by any such complaint to be paid by either party to the other and an order by the High Court of Justice in any such summary proceeding to pay any costs, damages, or penalty shall be of the same effect as a judgment of the High Court, and may be enforced accordingly.

(5.) Any of the said courts being a superior court of record may also proceed for and deal with such offence in like manner as for any contempt of such court.

(6.) If any person not being an under-sheriff, bailiff, or officer of a sheriff, assumes or pretends to act as such, or demands or takes any fee or reward under colour or pretext of such office, he shall be guilty of contempt of Her Majesty's High Court of Justice, and be liable to be punished in manner provided by this section as if he were an under-sheriff guilty of a contempt of such court.

(7.) Any proceeding in pursuance of this section against a sheriff under-sheriff or any other person to whom this section applies shall be taken within two years after the alleged offence was committed and not subsequently, and if the proceeding is in a summary manner shall be taken before the end of the sittings of the court held next after the offence was committed and not subsequently.

(8.) Nothing in this section shall render a person liable to be punished twice in respect of the same offence, but if any proceeding is taken against a person under this section for any offence the court or judge may postpone or stay such proceeding and direct any other available proceeding to be taken for punishing such offence.

Filing and exemption from duty of declaration of office.

30. (1.) Every declaration of office made under this Act by a sheriff of a county or his under-sheriff shall be exempt from stamp duty and be transmitted to the clerk of the peace for the county, and be by him filed among the records of his office.

(2.) For filing such declaration the clerk of the peace shall be entitled to demand and receive from such sheriff or under-sheriff such fee as may be from time to time fixed in pursuance of the enactments relating to fees of clerks of the peace, and until any fee is so fixed a fee of five shillings.

Application of Act in Special Cases.

Application of Act to Westmoreland and Wales.

31. Save as otherwise expressly provided by this or any other Act the law relating to sheriffs, inclusive of this Act and of the law relating to the election of members to serve in Parliament, shall extend to the Counties Palatine, to the county of Westmoreland, and each county in Wales in the same manner in all respects as to other counties in England, and the respective sheriffs of the above-mentioned counties, shall have the like powers, duties, jurisdiction, and liabilities, as the sheriff of any other county in England.

Application of Act to Cambridge and Huntingdon.

32. One sheriff may continue as heretofore to be appointed for the counties of Cambridge and Huntingdon as if they were one county.

Saving for privileges of city of London and approval of election of sheriffs of Middlesex and London.

33. (1.) Nothing in this Act shall affect the privilege of the mayor, commonalty, and citizens of the city of London to elect the sheriff of Middlesex and sheriffs of London.

(2.) Unless otherwise directed by order of Her Majesty in Council, warrants signifying the approval by Her Majesty of the election of the sheriff of Middlesex and sheriffs of London shall be prepared under the seal of the Chancellor of the Exchequer at the central office of the Supreme Court of Judicature, which warrants may be delivered to the said sheriffs or their duly authorised agents without fee on the thirtieth day of September or between that day and the twelfth day of November in every year, and an entry of the grant of such warrants shall be made on the roll of the court, and unless such warrant be stayed by order of Her Majesty in Council on or before the said thirtieth day of September, the election of such sheriff or sheriffs shall be deemed to be approved by Her Majesty.

(3.) All warrants and documents relating to the said sheriff or sheriffs which heretofore have been filed and recorded in the central office of the Supreme Court of Judicature shall continue to be so filed and recorded.

(4.) Save as aforesaid and save as regards the maintenance of men servants and the duration of office, this Act shall apply to the sheriff of Middlesex and sheriffs of London in like manner as to any other sheriff.

Application of Act to franchises.

34. Where a lord of a franchise or any other person or body corporate has in any franchise, that is to say, any liberty, hundred, franchise, or other part of a county, the return or execution of writs, or any other of the privileges or duties of a sheriff, the following provisions shall apply to such lord, person, or body corporate (in this Act referred to as the bailiff of a franchise) that is to say—

(*a.*) The bailiff of a franchise shall either hold the office himself, or shall put in bailiffs having land in the bailiwick sufficient to answer the Queen and her people, and shall answer for such bailiffs; and every such last-mentioned bailiff shall make the like declaration as an under-sheriff;

(*b.*) The sheriff of the county within which such franchise is situate shall within one month after a request made in that behalf by such lord appoint some sufficient deputy at such cost to be paid by the said lord, and to reside at such convenient place in or near the franchise, as may be appointed from time to time by the Lord High Chancellor of Great Britain and the Lord Chief Justice of England or one of them;

(*c.*) Every deputy so appointed shall reside at the said place, and, in the sheriff's name, shall receive and open, when tendered to him, all writs, the execution or return of which belongs to the bailiff of the franchise, and shall, without delay, issue to the said bailiff under the seal of the sheriff, and in such manner and form as the sheriff himself ought to do, the warrant required by law for the due execution of the said writs;

(*d.*) The bailiff of the franchise and not the sheriff shall be liable for the non-execution, mis-execution, or insufficient return of any writs, or for any misconduct in the performance of the said office or for any breach of the provisions of this Act; and any fine imposed on the bailiff of the franchise or his bailiff or officer shall notwithstanding any grant be paid to the Crown; and

(*e.*) All the provisions of this Act (except as herein-after mentioned) and every such enactment in any other Act as relates to the return of panels or juries, or to the due execution of any writ, or to the taking of fees, or to any extortion by sheriffs or their officers, or otherwise to the office and duties of sheriffs or their officers shall, together with all the liabilities, punishments, and forfeitures thereby imposed, extend to such bailiff of the franchise and his bailiffs and officers in like manner as if he and they were a sheriff or sheriff's bailiffs and officers; provided that the enactment as to the appointment and duration of office of a sheriff shall not apply, and such bailiff of the franchise and his bailiff shall be entitled to hold his office as long as he would have been entitled if this provision had not been enacted.

(*f.*) In the case of the non-return of a writ, if the sheriff returns that he has delivered the writ to a bailiff of a franchise the sheriff shall be ordered to execute the writ notwithstanding the said franchise; and further to cause the bailiff of such franchise to attend before the High Court of Justice and answer why he did not execute the said writ.

Duties of bailiffs of liberties and constables.

35. Every bailiff of a franchise within the meaning of the foregoing provisions of this Act, who, in times past, has been used or ought by himself or a bailiff to attend upon justices of assize or of gaol delivery and justices of the peace at large in any county shall continue so to attend and execute all writs directed to him for the administration of justice in such franchise, and shall give his attendance upon and assistance to the sheriff at all courts of gaol delivery from time to time for the execution of prisoners.

Application of Act to sheriffs of counties of cities and counties of towns. 45 & 46 Vict. c. 50.

36. (1.) The sheriff of a county of a city or a county of a town other than London shall continue to be appointed in manner provided by the Municipal Corporations Act, 1882, and shall hold office for the term in that Act mentioned, and in the event of the death or incapacity of a sheriff so appointed, the council of the said city or town shall forthwith appoint another fit person to execute the office;

(2.) A person may be appointed to be such sheriff if he have sufficient property, whether of land or personalty, to answer the Queen and her people;

(3.) Every such sheriff shall perform the same duties as heretofore, and may receive such fees and remuneration out of the borough fund or other accustomed fund as have heretofore been accustomed;

(4.) Save as aforesaid this Act shall apply to a sheriff of a county of a city or a county of a town in like manner, as

nearly as may be, as it applies to the sheriff of a county, and any jurisdiction by this Act vested in the justices in general or quarter sessions may be exercised, so far as regards constables, by the council, and so far as regards other matters by the recorder of the said city or town.

Saving for Duchy of Cornwall.

37. Nothing in this Act shall be prejudicial to the rights of the Crown in right of the Duchy of Cornwall, or to the Duke of Cornwall when there is a Duke of Cornwall.

Definitions and Repeal.

Definitions.

38. In this Act unless the context otherwise requires—

The expression "the Treasury" means the Commissioners of Her Majesty's Treasury.

The expression "county" means a county at large, and does not include a county of a city or a county of a town.

The expression "writ" includes any process.

The expression "quarter sessions" includes general sessions.

Repeal.

39. The Acts specified in the Third Schedule to this Act are hereby repealed to the extent in the third column of the said Schedule mentioned:

Provided that—

(1.) This repeal shall not affect,—

(*a.*) anything duly done or suffered under any enactment hereby repealed; or

(*b.*) any right acquired, or obligation or liability incurred under any enactment hereby repealed; or

(*c.*) the right of any city or borough under any charter; or

(*d.*) any such power, right, privilege, obligation, liability, or duty of any sheriff or officer of a sheriff as exists by common law at the passing of this Act; or

(*e.*) any penalty or punishment incurred in respect of any offence committed against any enactment hereby repealed; or

(*f.*) any legal proceeding or remedy in respect of any such right, obligation, liability, power, right, privilege, duty, penalty or punishment as aforesaid; and any such legal proceeding and remedy may be carried on and had as if this Act had not been passed; and

(2.) This repeal shall not revive or restore any jurisdiction, office, duty, franchise, liberty, custom, privilege, practice, or procedure, or other matter or thing not existing or in force; and

(3.) Every sheriff, under-sheriff, bailiff, and officer holding office at the passing of this Act shall continue to hold such office, and be subject to be discharged therefrom in like manner, and shall have the same privileges, and be subject to the same duties and liabilities, as if this Act had not passed; and

(4.) Any warrant, order, rules, or other matter or thing made in pursuance of any enactment hereby repealed shall continue and be of the same effect as if made in pursuance of this Act; and

(5.) Any fees or poundage authorised to be taken by or in pursuance of any enactment hereby repealed may continue to be taken until altered in pursuance of this Act.

Saving for courts leet, &c.

40. (1.) Notwithstanding the repeal of any enactment by this Act every court leet, court baron, law day, view of frankpledge, or other like court which is held at the passing of this Act shall continue to be held on the days and in the places heretofore accustomed, but shall not have any larger powers, nor shall any larger fees be taken thereat than heretofore, and any indictment or presentment found at such court shall be dealt with in like manner as heretofore.

(2.) Where any enactment repealed by this Act applied to any coroner, escheator, or other officer, he shall continue to be governed by such enactment in like manner as if it had not been repealed; Provided that any enactment of this Act which is substituted as regards a sheriff or sheriff's officer for the enactment so repealed, shall apply to such coroner, escheator, or officer, in lieu of the enactment so repealed.

SCHEDULES.

THE FIRST SCHEDULE.

Section 6 (2).

FORM OF WARRANT APPOINTING SHERIFF.

At the Court at the day of
present the Queen's most Excellent Majesty in Council.

To *A.B.*, of

Whereas Her Majesty was this day pleased, by and with the advice of Her Privy Council, to nominate you for and appoint you to be sheriff of the county of during Her Majesty's pleasure:

These are therefore to require you to take the custody and charge of the said county, and duly to perform the duties of sheriff thereof during Her Majesty's pleasure, whereof you are duly to answer according to law.

Dated this day of

By Her Majesty's command.

THE SECOND SCHEDULE.

Sections 7 (1), 23 (3).

DECLARATION OF SHERIFF AND UNDER SHERIFF.

I, *A.B.*, of , in the county of
do solemnly declare that I will well and truly serve the Queen's Majesty *[and also his Royal Highness Duke of Cornwall] in the office of { sheriff / under-sheriff } of the county of and promote Her Majesty's *[and his Royal Highness's] profit in all things that belong to my office as far as I legally can or may; I will truly preserve the Queen's rights *[and the rights of his Royal Highness] and all that belongeth to the Crown *[or Duchy of Cornwall]; I will not assent to decrease, lessen, or conceal the rights of the Queen or of her franchises

* The words within brackets to be added in case of the Duchy of Cornwall.

*[or the rights of his Royal Highness, or of his franchises]; and whenever I shall have knowledge that the rights of the Crown *[or Duchy] are concealed or withdrawn in any matter or thing I will do my utmost to make them be restored to the Crown *[or Duchy] again; and if I may not do it myself I will inform the Queen *[or his Royal Highness] or some of Her Majesty's judges thereof; I will not respite or delay to levy the Queen's debts for any gift promise reward or favour where I may raise the same without great grievance to the debtors; I will do right as well to poor as to rich in all things belonging to my office; I will do no wrong to any man for any gift reward or promise nor for favour or hatred; I will disturb no man's right, and will truly and faithfully acquit at the Exchequer all those of whom I shall receive any debts or sums of money belonging to the Crown *[or Duchy]; I will take nothing whereby the Queen *[or his Royal Highness] may lose or whereby her *[or his] right may be disturbed injured or delayed; I will truly return and truly serve all the Queen's writs according to the best of my skill and knowledge; [I will take no bailiffs into my service but such as I will answer for;]† I will truly set and return reasonable and due issues of them that be within my bailiwick according to their estate and circumstances, and make due pannels of persons able and sufficient and not suspected or procured as is appointed by the statutes of this realm; [I have not sold or let to farm, nor contracted for, nor have I granted or promised for reward or benefit, nor will I sell or let to farm nor contract for or grant for reward or benefit by myself or any other person for me or for my use directly or indirectly my sheriffwick or any bailiwick thereof or any office belonging thereunto or the profits of the same to any person or persons whatsoever;]‡ I will truly and diligently execute the good laws and statutes of this realm, and in all things well and truly behave myself in my office for the honour of the Queen *[and his Royal Highness] and the good of her subjects, and discharge the same according to the best of my skill and power.

Section 26. FORM OF DECLARATION FOR BAILIFF, DEPUTY, OR OFFICER OF SHERIFF.

I, *A.B.*, do hereby solemnly and sincerely declare that I will not use or exercise the office of corruptly during the time that I shall remain therein, neither shall nor will accept, receive, or take by any colour, means, or device whatsoever, or consent to the taking of any manner of fee or reward of any person or persons before the empannelling or returning of any inquest, jury, or tales in any court of record for the Queen or betwixt party and party above such fees as are allowed for the same by law, but will according to my power truly and indifferently with convenient speed empannel all juries and return all such writs touching the same as shall appertain to be done by my duty or office during the time that I shall remain in the said office.

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* The words within brackets to be added in case of the Duchy of Cornwall.

† In the case of under-sheriffs, omit the words between brackets.

‡ In the case of under-sheriffs, omit the words between brackets, and say: ["I have not bought purchased or taken to farm or contracted for nor have I promised or given any consideration nor will I buy purchase or take to farm or contract for promise or give any consideration whatsoever by myself or any other person for me or for my use directly or indirectly to any person whomsoever for the office of under-sheriff of the county of which I am now to enter upon and enjoy, nor for the profits of the same nor for any bailiwick thereof or any other place or office belonging thereunto; I have not sold nor contracted for or let to farm, nor have I granted or promised for reward or benefit by myself or any other person for me or for my use directly or indirectly any bailiwick thereof or any other place or office belonging thereunto?"]

THE THIRD SCHEDULE.

Section 39.

ACTS REPEALED.

Note.—This Schedule is to be read as referring to the revised edition of the statutes prepared under the direction of the Statute Law Committee in all cases of statutes included in that edition, and as referring in the case of all Acts not so included and passed before the reign of George the First, to the edition prepared under the direction of the Record Commission.

The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts given in those editions.

The repeal by the present Act of a part of a statute set out or referred to in the terms of the translation given in that edition is to operate on the original Latin or Norman-French of which the translation is set out or referred to as if the original itself were in like manner set out or referred to.

A description or citation of a portion of a statute is inclusive of the words section or other part first and last mentioned, or otherwise referred to as forming the beginning, or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
3 Edw. 1. (*Stat. Westm. prim.*)	Pursuit of felons. Punishment for neglect or corruption in officers.	The whole chapter, except from "and if the sheriffs coroners" to the end of the chapter, so far as that portion relates to coroners.
,, ,, c. 15.	Prisoners and bail. Offenders not bailable. Offenders bailable. Penalty for unlawful mainprise. Penalty for unjust detention of prisoners.	The whole chapter so far as it is not already repealed.
,, ,, c. 26.	Extortion by the King's officers.	So much of the chapter as relates to a sheriff or any officer of a sheriff.
12 Edw. 1. c. 2. (*Stat. Walliæ*)	Regulation of the jurisdiction and its division into counties, &c. Sheriffs and other officers appointed.	The whole chapter so far as relates to sheriffs and bailiffs of commotes.
,, c. 3.	Of the office of sheriff in Wales, and the manner of holding courts.	The whole chapter.
,, c. 4.	The tourn. Articles to be inquired of. Franchises, &c. usurped. Presentments of the jury. For capital offences. For smaller offences. How the sheriff shall proceed on presentments.	The whole chapter.
12 Edw. 1. (*Stat. Roth.*)	Provisions made in the Exchequer.	The whole statute.
13 Edw. 1. (*Stat. Westm. Sec.*) c. 13.	Sheriffs imprisoning others for felony, &c. without an inquest shall be liable to action for false imprisonment.	The whole chapter.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
13 Edw. 1. (*Stat. Westm. Sec.*) c. 39.	How writs shall be delivered to the sheriffs to be executed. Remedy for non-return of writ. The like for false returns. The like where a liberty is returned. The like for sheriff's false returns or issues. What shall be accounted issues. Resistance of execution of process. Punishment thereof.	The whole chapter.
25 Edw. 1. (*Magna Carta.*) c. 17.	Pleas of the Crown - -	So far as it relates to any sheriff or officer of a sheriff.
,, c. 35.	County court. Sheriff's tourn. View of Frankpledge.	The whole chapter.
28 Edw. 1. c. 13. (*Artic. Sup. Cart.*)	Of the persons to be chosen sheriffs.	The whole chapter.
9 Edw. 2. st. 2. - (*Stat. Lincoln.*)	The statute of sheriffs -	The whole statute.
(*Stat. Temp. Incert. Visus Franciplegii.*)	The view of Frankpledge -	The whole statute.
1 Edw. 3. st. 2. c. 17.	Indictment shall be taken by indenture.	The whole chapter.
2 Edw. 3. c. 4. -	The statute of Lincoln, 9 Edw. 2. concerning sheriffs, &c. confirmed.	The whole chapter.
,, c. 5. -	The statute of Westminster, the second, 13 Edw. 1. c. 39., concerning the delivery of writs to the sheriff confirmed.	The whole chapter.
,, c. 12. -	Hundreds and wapentakes shall be annexed to counties and not let to ferm.	The whole chapter.
5 Edw. 3. c. 4. -	Sheriffs, &c. shall have sufficient in the county.	The whole chapter.
14 Edw. 3. st. 1. c. 7.	Sheriffs shall be appointed annually at the Exchequer.	The whole chapter.
,, ,, c. 9.	Hundreds and wapentakes shall be rejoined to the respective counties; and be farmed at the ancient rent. Outriders, &c. abolished. Only one bailiff errant in one county. Bailiwicks in fee. Who shall punish offenders. Punishment of sheriffs offending. Lords of hundreds in fee.	The whole chapter.
28 Edw. 3. c. 7. -	Sheriffs shall be removed from office yearly.	The whole chapter.
,, c. 9. -	Commissions to sheriffs for taking inquests to indict people repealed and prohibited.	The whole chapter.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
31 Edw. 3. c. 15.	The sheriff's tourn shall be held within the month after Easter and Michaelmas.	The whole chapter.
1 Ric. 2. c. 11. -	No sheriff shall be re-elected within three years.	The whole chapter.
23 H. 6. c. 7. -	Recital of the statutes against the continuance of sheriffs in their office, viz., 14 Edw. 3. st. 1. c. 7.; 42 Edw. 3. c. 9.; 1 Ric. 2. c. 11.: Recited statutes confirmed: Exceptions, London, &c. Penalty for occupying the office of sheriff above one year 200*l.* per annum. All pardons and patents made to the contrary, void. Action for the penalty.	The whole chapter.
,, c. 9. -	No sheriff shall let his county, &c. to ferm. No sheriffs' officers or bailiffs shall be returned upon inquests. Such officers shall not take anything of persons arrested for ease and favour, &c. Fees on arrests, attachments, &c. No fee for returns or panels. Fee for a copy of a panel. Sheriffs, &c. shall let to bail all persons arrested. On sureties; except persons in execution. How the bond shall be taken on such bailing. The conditions thereof. Bonds in other form void. Sheriffs shall make deputies in the King's courts. Penalty on offending against this Act. Justices of assizes, &c. may inquire of offenders. Sheriffs returning cepi corpus or reddidit se shall be chargeable with the bodies. Exception for the warden of the fleet, &c.	The whole chapter.
1 Edw. 4. c. 2. -	Justices of peace in sessions shall try and determine indictments taken in sheriff's tourns.	The whole Act.
12 Edw. 4. c. 1. -	Recital of the statute 23 H. 6. c. 7. Sheriffs before having their writ of discharge may return writs during Michaelmas term.	The whole statute.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
17 Edw. 4. c. 7. -	Recital of st. 12 Edw. 4. c. 1. as to returns of writs by sheriffs going out of office, sheriff may return writs and otherwise execute his office during Michaelmas and Hilary term if not discharged.	The whole chapter.
11 Hen. 7. c. 15. -	An Act against sheriffs and under-sheriffs.	The whole Act.
19 Hen. 7. c. 24. -	The shire court for Sussex shall be holden at Chichester and Lewes, alternately.	The whole Act.
21 Hen. 8. c. 20. -	An Act that the Psidente of the Kynges Counsaile shal be associate with the Chauncellor and Treasourer of Englonde and the Keper of the Kinges Privie Seale.	Section two so far as relates to the naming of sheriffs.
27 Hen. 8. c. 5. -	An Acte for makyng of justices of peace in Wales.	Section two, from "of "Chester and Flint" down to "county of Glamor- "gan," the words "at "Caerdiff," the words "into every of the afore- "said Exchequers," and from "and that every "sheriff of every of the "said shires," to the end of the section, and so much of section four as relates to a sheriff, his deputy or ministers.
27 Hen. 8. c. 24. -	An Acte for re-contynuyng of certayne liberties and franchoses heretofore taken frome the Crowne.	Section six, section seven, section eight, section twelve, and section thirteen.
27 Hen. 8. c. 26. -	An Acte for Lawe and Justice to be ministred in Wales in like fourme as it is in this Realme.	Section two, from "and "that the sheriffs countie" to the end of the section. Section three, from "and "that the sheriff of the "said countie" to the end of the section, except so far as relates to escheators and coroners. Section four, from "and "that the shire courte" to the end of the section. Section five, from "and that "the shire courte" to the end of the section. Section six, from "and that "the countie and shire "courte" to the end of the section. Section seven, from "and "that the countie or shire "courte" to the end of the section.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
27 Hen. 8. c. 26.—*cont.*		Section eight, except from "and that justice shall "be ministered, used, "exercised" to the end of the section. Section seventeen, so far as it relates to sheriffs or their officers, or to sheriffs courts; and Section eighteen, down to "justices of the peace of "the said county of Mon- "mouth;" and from "and that every of the "sheriffs of the said "counties" down to "shires before the same "justice", and the words "as well by the afore- "said sheriffs as".
33 Hen. 8. c. 13.	An Acte concerninge certain Lordshippes translated from the countie of Denbigh to the countye of Flyntshire.	Section one.
34 & 35 Hen. 8. c. 26.	An Acte for certain ordinaunces in the Kinges Majesty's domynion and principalitie of Wales.	Section ten, section twenty, from "which sheriff" to end of section. Section twenty-two, section twenty-six, from "Item, "that everie of the saide "shiriefs" to the end of the section. Section twenty-seven, section twenty-eight, section twenty-nine, section thirty, and section thirty-one.
1 Edw. 6. c. 10.	An Acte for exigents and proclamations in Wales and in the countie palentyne of Chestre and allso in the citie of Chester.	The whole Act except so much of sections one and three as relates to outlawry in cases other than civil cases.
2 & 3 Edw. 6. c. 25.	An Acte for the kepinge of countie dayes.	The whole Act.
5 & 6 Edw. 6. c. 26.	An Acte for writtes uppon proclamations and exigents to be currant within the countye palantyne of Lancaster.	The whole Act, except so much of sections one and five as relates to outlawry in cases other than civil cases.
1 Mar. st. 2. c. 8.	An Act that shiriffs shall not be justices of peace during that office.	The whole Act.
5 Eliz. c. 23.	An Acte for the due execution of the writ de excommunicato capiendo.	Section one from "and if afterwardes it shall or maye appeare" to the end of the section; and section four.
27 Eliz. c. 12.	An Act for the swearinge of under shireffes and other under officers and mynisters.	The whole Act as far as unrepealed.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
29 Eliz. c. 4. -	An Acte to prevent extorcion in Sheriffs, under-sheriffs, and Bayliffes of Fraunchesies or Libertyes in cases of execucion.	The whole Act.
43 Eliz. c. 6. -	An Acte to avoide trifling and frivolus suites in law in Her Majesties courtes at Westm.	The whole Act so far as unrepealed.
14 Cha. 2. c. 21. -	An Act for preventing the unnecessary charge of sheriffes and for ease in passing theire accompts.	The whole Act so far as unrepealed.
7&8 Will. 3. c. 25.	An Act for the further regulating election of members to serve in Parliament and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members.	Section eight.
*6 Anne, c. 12. -	An Act for rendring more effectual an Act passed in the first year of Her Majesties reign, intituled An Act for the better preventing escapes out of the Queen's Bench and Fleet prisons.	Section five.
†6 Anne, c. 31. -	An Act for the encouraging the discovery and apprehending of housebreakers.	The whole Act so far as unrepealed.
6 Ann. c. 41.‡ -	An Act for the security of Her Majesty's person and government and of the succession to the crown of Great Britain in the Protestant line.	So much of section eight as relates to sheriffs.
3 Geo. 1. c. 15. -	An Act for the better regulating the office of sheriffs, and for ascertaining their fees, and the fees for sueing out their patents and passing their accompts.	The whole Act so far as it is unrepealed except section twelve.
1 Geo. 2. st. 1. c. 5.	An Act for making further provisions to enable persons possessed of offices at the demise of His late Majesty to qualify themselves for the enjoyment of such offices and for altering and explaining the Acts of Parliament therein mentioned in relation to qualifying persons for continuing in offices, and to the continuance of the sheriffs of the county of Cornwall and county palatine of Chester, and several other	So much of section seven as relates to any sheriff.

* 5 & 6 Anne, c. 9. in Ruff. † 5 & 6 Anne, in Ruff. ‡ c. 7. in Ruff.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
1 Geo. 2. st. 1. c. 5.—*cont.*	officers therein mentioned, after the demise of His late Majesty, his heirs and successors; and for continuing such laws as would expire at the end of this session of Parliament.	
13 Geo. 2. c. 18.	An Act, the title of which begins with the words "An Act to continue "several laws therein "mentioned;" and ends with the words "liberties "and franchises as have "commissions of the peace "within themselves."	Section six.
20 Geo. 2. c. 37.	An Act for the ease of sheriffs with regard to the return of process.	The whole Act.
24 Geo. 2. c. 48.	An Act for the abbreviation of Michaelmas term.	Section twelve.
32 Geo. 2. c. 28.	An Act for relief of debtors with respect to the imprisonment of their persons and to oblige debtors who shall continue in execution in prison beyond a certain time and for sums not exceeding what are mentioned in the Act to make discovery of and deliver upon oath their estates for their creditors benefit.	Sections one to four, and so much of sections eleven and twelve as relate to sheriffs and their officers.
4 Geo. 4. c. 37.	An Act to amend an Act for the more speedy return and levying of fines, penalties, and forfeitures and recognizances estreated.	Section one, from "and "such sheriff, bailiff, or "other officer is hereby "authorised and re-"quired on quitting his "office" to "duly autho-"rised to pass the same"; and Section four.
3 & 4 Will. 4. c. 42.	An Act for the further amendment of the law and the better advancement of justice.	Section twenty.
3 & 4 Will. 4. c. 99.	An Act for facilitating the appointment of sheriffs, and the more effectual audit and passing of their accounts; and for the more speedy return and recovery of fines, issues, forfeited recognizances, penalties, and deodands; and to abolish certain offices in the Court of Exchequer.	Sections two to seven, nine to eleven, so much of sections thirty-nine and forty as relates to the portions repealed by this Act, also section forty from "but that the" to end of section and the Schedule.
6 & 7 Will. 4. c. 19.	An Act for separating the palatine jurisdiction of the county palatine of Durham from the bishopric of Durham.	Section two.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
7 Will. 4 & 1 Vict. c. 55.	An Act for better regulating the fees payable to sheriffs upon the execution of civil process.	The whole Act so far as unrepealed.
5 & 6 Vict. c. 98.	An Act to amend the laws concerning prisons.	Section thirty-one so far as relates to sheriffs and their officers.
8 & 9 Vict. c. 11.	An Act for assigning sheriffs in Wales.	The whole Act.
9 & 10 Vict. c. 44.	An Act to remove doubts as to the election of members to serve in Parliament for the county of Chester, the boroughs situate therein, and for the county of the city of Chester.	The whole Act.
13 & 14 Vict. c. 30.	An Act to provide for the appointment of sheriff of the county of Westmoreland.	The whole Act.
22 & 23 Vict. c. 21.	An Act to regulate the office of Queen's Remembrancer and to amend the practice and procedure on the Revenue side of the Court of Exchequer.	Sections twenty-eight twenty-nine, and forty-two.
22 & 23 Vict. c. 32.	An Act to amend the law concerning the police in counties and boroughs in England and Wales.	Section eighteen.
28 & 29 Vict. c. 104.	The Crown Suits, &c. Act, 1865.	Section twenty-five.
28 & 29 Vict. c. 126.	The Prison Act, 1865 -	Sections fifty-nine and sixty.
40 & 41 Vict. c. 21.	The Prison Act, 1877 -	Sections thirty-one and thirty-two.
42 & 43 Vict. c. 1.	The Spring Assizes Act, 1879.	Section three down to "had "not passed."
44 & 45 Vict. c. 68.	The Supreme Court of Judicature Act, 1881.	Section sixteen.

CHAPTER 56.

An Act to amend the Friendly Societies Act, 1875.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1.—(1.) This Act may be cited as the Friendly Societies Act, 1887.

(2.) This Act, and the Friendly Societies Act, 1875, may be cited together as the Friendly Societies Acts.

(3.) The Friendly Societies Act, 1875, is herein-after referred to as the principal Act.

2. In section four of the principal Act, after the definition of "branch" there shall be inserted as a separate paragraph :— Amendment of 38 & 39 Vict. c. 60. s.4.

"'Society' extends to a registered branch in subsections (5) and (6) of section 13, subsections (2), (3), and (4) of section 14, subsections (1) to (7) both included, (9) and (10) of section 15, subsections (1), (6), (7), (9), and (10) of section 16, sections 17, 19, and 20, subsections (2) and (4) of section 21, sections 22, 26, 28, 30, 31, 32, and 33 of this Act."

At the end of the same section there shall be added as a new paragraph :—

"The term 'Treasury regulations' means any regulations made and approved by the Treasury and for the time being in force under and by virtue of this Act."

3. In subsection three of section eleven of the principal Act the words "nature or its" shall be inserted before the word "identity." Amendment of 38 & 39 Vict. c. 60. s. 11 as to name of society.

4.—(1.) In subsection one (*f.*) of section fourteen of the principal Act the words "every five years" shall be substituted for the words beginning with "the five years" and ending with "under this Act." Amendment of 38 & 39 Vict. c. 60. s. 14.

(2.) At the end of subsection one (*h*) of the same section there shall be added : "Provided that it shall be deemed a sufficient "compliance with this requirement if the society supplies gratuitously every member or person interested with a balance sheet "or other document, duly audited, containing the same particulars "as to the receipts and expenditure, funds, and effects of the "society as are contained in the annual return."

(3.) To subsection one of the same section shall be added the following paragraph, namely :—

This subsection shall apply to a registered branch of a society as if it were a registered society, except that every notice, copy of a resolution, and annual return required by this subsection to be sent to the registrar, shall be sent through an officer appointed in that behalf by the society of which the branch forms part.

(4.) To subsection two of the same section the following words shall be added :—"This subsection shall not apply to deaths at sea."

(5.) In subsection three of the same section the words "or any "officer or member thereof" shall be inserted after the words "any registered society," and the words "officer or person," after the words "the society."

5.—(1.) In section fifteen, subsection (3), of the principal Act, after the words "not being an officer or servant of the society," shall be inserted the words "unless such officer or servant is the "husband, wife, father, mother, child, brother, sister, nephew, or "niece of the nominator," and in subsection (6) of the said section, for the words "absent from England or Ireland respectively," shall be substituted the words "absent from Great Britain or Ireland respectively." Amendment of 38 & 39 Vict. c. 60. s. 15.

(2.) In the proviso (*a.*) to subsection eight of the same section the words "twenty-one" shall be substituted for the word "sixteen."

Amendment of 38 & 39 Vict. c. 60. s. 16.

6.—(1.) In subsection two of section sixteen of the principal Act the words "in every county where it has an office" shall be omitted.

(2.) In subsection three of the same section for the words "in "the trustees of such branch, or in the trustees of the society if "the rules of the society so provide, for the use and benefit either "of the members of such branch" shall be substituted the following words "wholly or partly in the trustees of such branch or of any "other branch of which the same forms part, (or, if the rules of "the society so provide, in the trustees of the society), for the use "and benefit either of the members of any such branch."

(3.) In subsection nine of the same section for the words "or by "the central office" shall be substituted the following words, "or "in the case of a branch, on the complaint of the central body of "the society of which the branch forms part, or of any member of "the society or branch authorised by the central body, or in any "case on the complaint of any member of the society or branch "authorised by the central office."

Interpretation of 38 & 39 Vict. c. 60. s. 22.

7. Section twenty-two of the principal Act includes and applies to every dispute between any registered branch under the Friendly Societies Acts, or an officer thereof, of any registered society or registered branch and the registered society or branch of which the other party to the dispute is a registered branch, or any officer thereof, or between any two or more registered branches of any registered society or branch, or any officers thereof respectively, and there shall be inserted after the word "thereof" in the third line of the said section the words "or between any registered branch "under the Friendly Societies Acts, or an officer thereof, of any "registered society or registered branch and the registered society "or branch of which the other party to the dispute is a registered "branch, or an officer thereof, or between any two or more regis- "tered branches of any registered society or branch, or any officers "thereof, respectively."

Amendment of 38 & 39 Vict. c. 60. s. 23.

8.—(1.) In proviso (*c.*) to section twenty-three of the principal Act the word "either" shall be omitted, and after the word "society" there shall be inserted the following words:—

"or by the members or officers, or former members or officers, of the society in such proportions."

(2.) In proviso (*d.*) to the same section after the word "shall" the following words shall be inserted:—

"apply to every society to which section thirty of this Act applies, other than an industrial assurance company, but save as aforesaid shall"

Amendments of 38 & 39 Vict. c. 60. s. 25.

9.—(1.) In subsection one (*c.*) of section twenty-five of the principal Act the word "society" shall be omitted after the word "branch."

Amendment of 38 & 39 Vict. c. 60. s. 25 as to punishment of certain offences.

(2.) In subsection seven (*c.*) of the same section there shall be added after the words "be liable" the words "either to such penalty "as is by section thirty-two (subsection two) of this Act imposed "for an offence under this Act or"

(3.) In subsection eight (*d.*) of the same section the words "or the last preceding" shall be omitted.

(4.) In subsection nine of the same section after the word "shall" the following words shall be added :—

"apply to every society to which section thirty of this Act "applies, other than an industrial assurance company, but save as "aforesaid shall."

(5.) At the end of the same section there shall be added as a fresh subsection :—

"Notice shall be sent to the central office of any proceeding to set aside the dissolution of a society or branch, not less than seven days before it is commenced, by the person taking such proceeding, and of any order setting a dissolution aside, by the society or branch, within seven days after such order is made." Notice of proceedings or order to set aside dissolution.

10. To section twenty-nine of the principal Act shall be added the following subsection :— Amendment of 38 & 39 Vict. c. 60. s. 29 as to registration of branches.

(7.) A registered branch shall not be registered as a society except on production to the registrar of a certificate under the hand of the chief secretary or other principal officer of the society that the branch has wholly seceded or has been expelled from the society.

Provided that the like appeal shall lie from the refusal of the chief secretary or other principal officer of the society, or his omission after one month from the receipt of a request in writing made on behalf of a branch to grant such a certificate, as from the refusal of the registrar to register the society or any rules.

11. After section twenty-nine of the principal Act there shall be added the following sections, which shall be numbered respectively 29A, 29B, and 29C :— Additional provisions as to registered societies, &c.

29A. With respect to the conversion of registered societies into branches the following provisions shall have effect : Conversion of registered societies into branches.

(1.) A society registered before the first day of January one thousand eight hundred and seventy-six may, by a resolution passed by three fourths of the members or delegates present and entitled to vote at any general meeting, of which notice specifying the intention to propose such resolution has been duly given according to the rules, determine to become a branch under the Friendly Societies Acts of any other registered society, and also, if thought fit, of any registered branch thereof; and if the rules of such society do not comply with all the provisions of this Act and of the Treasury regulations in respect of the registry of branches, the meeting at which such resolution is passed may amend such rules so as to bring the same in compliance with this Act and with the Treasury regulations.

(2.) A copy of the rules of such first-mentioned society marked to show the amendments, if any, made at such meeting, and two copies of such resolution as aforesaid, and of such amendment of rules, if any, each signed by the chairman of the meeting and by the secretary of the society so determining to become a branch of any other society, and countersigned by the secretary of such other society, shall be sent to the registrar, and if the registrar finds that such rules, with or without such amendment as aforesaid, comply with the provisions of this Act and of the Treasury regulations, he shall cancel the

registry of such first-mentioned society and register the same as a branch of such other society, and also, if so specified in the resolution before mentioned, of any branch of such other society, without further request or notice, and shall register such amendment of rules without further application or evidence, and until such registry such resolution as aforesaid shall not take effect.

(3.) No advertisement of any cancelling of registry under this section shall be requisite.

(4.) The rules of a society which becomes a branch under this section shall, so far as the same are not contrary to any express provision of this Act or of the Treasury regulations, and subject to any amendment thereof as herein-before provided, continue in force as the rules of such branch until amended.

Registered societies may contribute to funds of other societies.

29B. Nothing in this Act contained shall prevent any registered society or branch from contributing to the funds or taking part by delegates or otherwise in the government of any other registered society or registered branch of a society, as may be provided in the rules of such first-named society or branch, without becoming a branch under the Friendly Societies Acts of such other society or branch.

Forms of acknowledgment of registry for branches.

29C. The acknowledgment of registry of a branch, and of any amendment of the rules of a branch, shall be in the forms provided in the Fifth Schedule to this Act.

Amendment of 38 & 39 Vict. c. 60. s. 30.

12. The following paragraph shall be substituted for the first paragraph of section thirty of the principal Act:—

"This section applies only to such friendly societies, whether registered or unregistered, and industrial assurance companies as receive contributions by means of collectors at a greater distance than ten miles from the registered office or principal place of business of the society or company."

Additional provision as to fees.

13. After section thirty-six of the principal Act the following shall be added as a separate section, and shall be numbered 36A:—

Amendment in fees payable on certificates of births or deaths.

36A. Whenever application is made at one time to any registrar or other person having the care of any register of births or deaths for more certificates than one of the same birth or death for the purposes of and in the manner prescribed by section fifteen, subsection nine, or section twenty-eight, subsection three, of this Act, the sum charged for every such certificate other than the first shall not exceed sixpence; and whenever the registrar or other person having the care of the register is required by the person applying for any certificate of birth or death to fill up the form of application, he may demand a sum not exceeding threepence for so doing.

Amendment of Sch. II. of principal Act as to rules.

14. In paragraph four of Schedule II. of the principal Act (relating to the appointment and removal of a committee of management and to other matters), after the word "composition" the words "and powers" shall be added.

Correction of misprint in Sch. II. of principal Act.

15. In Schedule II. to the principal Act the provision marked 5 and beginning with the words "the right of one fifth" shall be read as if, instead of the words "five thousand," there were inserted therein the words "ten thousand."

16. The First Schedule to this Act shall be added to the principal Act as Schedule V. Addition of schedule to principal Act.

17. The Acts set forth in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of the said schedule, without prejudice to anything done thereunder. Repeal.

18.—(1.) The principal Act shall, as from the passing of this Act, take effect subject to the additions, omissions, and substitutions required by this Act. Construction and printing of principal Act.

(2.) Any copy of the principal Act printed after the passing of this Act by any of the several printers to the Queen's most Excellent Majesty duly authorised to print the Statutes of the United Kingdom may be printed with the additions, omissions, and substitutions required by this Act.

SCHEDULES.

FIRST SCHEDULE.

(*To be added as Schedule V. to the Friendly Societies Act*, 1875.)

ACKNOWLEDGMENT OF REGISTRY OF BRANCH.

The is registered as a branch of the society [and of the branch of the same] under the Friendly Societies Act, 1875, this day of

[*Seal of central office or signature of assistant registrar for Scotland or Ireland.*]

ACKNOWLEDGMENT OF REGISTRY OF AMENDMENT OF BRANCH RULES.

The foregoing amendment of the branch rules of the is registered under the Friendly Societies Act, 1875, this day of

[*Seal of central office or signature of assistant registrar for Scotland or Ireland.*]

SECOND SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Title.	Extent of Repeal.
38 & 39 Vict. c. 60.	The Friendly Societies Act, 1875.	So much of section fourteen and of Schedule II. as relates to sending to the registrar every five years a return, to be called a quinquennial return, of the sickness and mortality experienced by the society, or as relates to such return.
39 & 40 Vict. c. 32.	The Friendly Societies Amendment Act, 1876.	The whole Act.

Session and Chapter.	Title.	Extent of Repeal
42 Vict. c. 9.	An Act to declare the true meaning of section thirty of the Friendly Societies Act, 1875.	The whole Act.
45 & 46 Vict. c. 35.	The Friendly Societies (Quinquennial Returns) Act, 1882.	The whole Act.
48 & 49 Vict. c. 27.	The Friendly Societies Amendment Act, 1885.	The whole Act.

CHAPTER 57.

An Act to provide for the Registration of Deeds of Arrangement. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Deeds of Arrangement Act, 1887.

Extent of Act.

2. This Act shall not extend to Scotland.

Commencement of Act.

3. This Act shall, except as in this Act specially provided, come into operation on the first day of January one thousand eight hundred and eighty-eight, which date is in this Act referred to as the commencement of this Act.

Application of Act.

4.—(1.) This Act shall apply to every Deed of Arrangement, as defined in this section, made after the commencement of this Act.

(2.) A Deed of Arrangement to which this Act applies shall include any of the following instruments, whether under seal or not, made by, for, or in respect of the affairs of a debtor for the benefit of his creditors generally (otherwise than in pursuance of the law for the time being in force relating to bankruptcy), that is to say:—

(*a.*) An assignment of property;

(*b.*) A deed of or agreement for a composition;

And in cases where creditors of a debtor obtain any control over his property or business:—

(*c.*) A deed of inspectorship entered into for the purpose of carrying on or winding up a business;

(*d.*) A letter of licence authorising the debtor or any other person to manage, carry on, realise, or dispose of a business, with a view to the payment of debts; and

(*e.*) Any agreement or instrument entered into for the purpose of carrying on or winding up the debtor's business, or authorising the debtor or any other person to manage, carry on, realise, or dispose of the debtor's business, with a view to the payment of his debts.

Avoidance of unregistered deeds of arrangement.

5. From and after the commencement of this Act a Deed of Arrangement to which this Act applies shall be void unless the same shall have been registered under this Act within seven clear days after the first execution thereof by the debtor or any creditor, or if it is executed in any place out of England or Ireland respectively, then within seven clear days after the time at which it would, in the ordinary course of post, arrive in England or Ireland respectively, if posted within one week after the execution thereof, and unless the same shall bear such ordinary and ad valorem stamp as is under this Act provided.

Mode of registration.

6. The registration of a Deed of Arrangement under this Act shall be effected in the following manner:—

(1.) A true copy of the deed, and of every schedule or inventory thereto annexed, or therein referred to, shall be presented to and filed with the registrar within seven clear days after the execution of the said deed (in like manner as a bill of sale given by way of security for the payment of money is now required to be filed), together with an affidavit verifying the time of execution, and containing a description of the residence and occupation of the debtor, and of the place or places where his business is carried on, and an affidavit by the debtor stating the total estimated amount of property and liabilities included under the deed, the total amount of the composition (if any) payable thereunder, and the names and addresses of his creditors:

(2.) No deed shall be registered under this Act unless the original of such deed, duly stamped with the proper inland revenue duty, and in addition to such duty a stamp denoting a duty computed at the rate of one shilling for every hundred pounds or fraction of a hundred pounds of the sworn value of the property passing, or (where no property passes under the deed) the amount of composition payable under the deed, is produced to the registrar at the time of such registration.

Form of register.

7. The registrar shall keep a register wherein shall be entered, as soon as conveniently may be after the presentation of a deed for registration, an abstract of the contents of every Deed of Arrangement registered under this Act, containing the following and any other prescribed particulars:—

(*a.*) The date of the deed:

(*b.*) The name, address, and description of the debtor, and the place or places where his business is carried on, and the title of the firm or firms under which the debtor carries on business, and the name and address of the trustee (if any) under the deed:

(*c.*) A short statement of the nature and effect of the deed, and of the composition in the pound payable thereunder:

(*d.*) The date of registration:

(*e.*) The amount of property and liabilities included under the deed, as estimated by the debtor.

Registrar and office for registration.

8.—(1.) The Registrar of Bills of Sale in England and Ireland respectively shall be the registrar for the purposes of this Act.

(2.) In England the Bills of Sale Department of the Central Office of the Supreme Court of Judicature, and in Ireland the

Bills of Sale Office of the Queen's Bench Division of the High Court of Justice, shall be the office for the registration of Deeds of Arrangement.

Rectification of register.

9. The Court or a Judge upon being satisfied that the omission to register a Deed of Arrangement within the time required by this Act or that the omission or mis-statement of the name, residence, or description of any person was accidental or due to inadvertence, or to some cause beyond the control of the debtor and not imputable to any negligence on his part, may on the application of any party interested, and on such terms and conditions as are just and expedient, extend the time for such registration, or order such omission or mis-statement to be supplied or rectified by the insertion in the register of the true name, residence, or description.

Time for registration.

10. When the time for registering a Deed of Arrangement expires on a Sunday, or other day on which the registration office is closed, the registration shall be valid if made on the next following day on which the office is open.

Office copies.

11. Subject to the provisions of this Act, and to any rules made thereunder, any person shall be entitled to have an office copy of, or extract from, any deed registered under this Act upon paying for the same at the like rate as for office copies of judgments of the High Court of Justice, and any copy or extract purporting to be an office copy or extract shall, in all courts and before all arbitrators or other persons, be admitted as primâ facie evidence thereof, and of the fact and date of registration as shown thereon.

Inspection of register and registered deeds.

12.—(1.) Any person shall be entitled, at all reasonable times, to search the register on payment of one shilling, or such other fee as may be prescribed, and subject to such regulations as may be prescribed, and shall be entitled, at all reasonable times, to inspect, examine, and make extracts from any registered Deed of Arrangement, without being required to make a written application or to specify any particulars in reference thereto, upon payment of one shilling, or such other fee as may be prescribed, for each Deed of Arrangement inspected.

(2.) Provided that the said extracts shall be limited to the dates of execution and of registration, the names, addresses, and descriptions of the debtor and of the parties to the deed, a short statement of the nature and effect of the deed, and any other prescribed particulars.

Local registration of copy of deeds.

13.—(1.) When the place of business or residence of the debtor who is one of the parties to a Deed of Arrangement, or who is referred to therein, is situate in some place outside the London Bankruptcy District, as defined by the Bankruptcy Act, 1883, the registrar shall within three clear days after registration, and in accordance with the prescribed directions, transmit a copy of such deed to the registrar of the county court in the district of which such place of business or residence is situate.

(2.) Every copy so transmitted shall be filed, kept, and indexed by the registrar of the county court in the prescribed manner, and any person may search, inspect, make extracts from, and obtain copies of, the registered copy, in the like manner and upon the like

terms, as to payment or otherwise, as near as may be, as in the case of deeds registered under this Act.

(3.) This section shall not apply to Ireland.

Affidavits.

14. Every affidavit required by or for the purposes of this Act may be sworn before a Master of the Supreme Court of Judicature in England or Ireland, or before any person empowered to take affidavits in the Supreme Courts of Judicature of England or Ireland.

Fees.

15.—(1.) There shall be taken, in respect of the registration of Deeds of Arrangement, and in respect of any office copies or extracts, or official searches made by the registrar, such fees as may be from time to time prescribed; and nothing in this Act contained shall make it obligatory on the registrar to do, or permit to be done, any act in respect of which any fee is specified or prescribed, except on payment of such fee.

38 & 39 Vict. c. 77. s. 26.

(2.) The twenty-sixth section of the Supreme Court of Judicature Act, 1875, as regards England, and the eighty-fourth section of the Supreme Court of Judicature Act (Ireland), 1877, as regards Ireland, and any enactments for the time being in force amending or substituted for those sections respectively shall apply to fees under this Act, and orders under those sections may, if need be, be made in relation to such fees accordingly.

Amendment of 46 & 47 Vict. c. 52. s. 28.

16.—(1.) The third subsection, paragraph (*g.*) of the twenty-eighth section of the Bankruptcy Act, 1883, which enacts amongst other things that one of the facts on proof of which the court shall either refuse an order of discharge to a bankrupt, or suspend the operation of the order for a specified time, or grant the bankrupt an order of discharge subject to the conditions mentioned in the section, is that the bankrupt has on any previous occasion made a statutory composition or arrangement with his creditors, shall be read and construed with the word "statutory" omitted therefrom.

(2.) This section shall not apply to Ireland.

Saving as to Bankruptcy Acts.

17. Nothing contained in this Act shall be construed to repeal or shall affect any provision of the law for the time being in force in relation to bankruptcy, or shall give validity to any deed or instrument which by law is an act of bankruptcy, or void or voidable.

Rules.

40 & 41 Vict. c. 57.

18.—(1.) Rules for carrying this Act into effect may be made, revoked, and altered from time to time by the like persons and in the like manner in which rules may be made under and for the purposes of the Supreme Court of Judicature Acts, 1873 to 1884, as regards England, and the Supreme Court of Judicature Act (Ireland), 1877, as regards Ireland.

(2.) Such rules as may be required for the purposes of this Act may be made at any time after the passing of this Act.

Interpretation of terms.

19. In this Act, unless the context otherwise requires,—

"Court or a judge" means the High Court of Justice and any judge thereof;

"Creditors generally" includes all creditors who may assent or take the benefit of a Deed of Arrangement;

"Person" includes a body of persons corporate or unincorporate;

"Prescribed" means prescribed by rules to be made under this Act;

"Property" has the same meaning as the same expression has in the Bankruptcy Act, 1883;

"Rules" includes forms.

CHAPTER 58.

An Act to consolidate with amendments the Coal Mines Acts, 1872 and 1886, and the Stratified Ironstone Mines (Gunpowder) Act, 1881. [16th September 1887.]

35 & 36 Vict. c. 76. 49 & 50 Vict. c. 40. 44 & 45 Vict. c. 26.

WHEREAS it is expedient to repeal and re-enact with amendments the Coal Mines Acts, 1872 and 1886, and the Stratified Ironstone Mines (Gunpowder) Act, 1881:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Coal Mines Regulation Act, 1887.

Commencement of Act.

2. This Act shall not come into operation until the first day of January one thousand eight hundred and eighty-eight, which date is in this Act referred to as the commencement of this Act.

Application of Act.

3. This Act shall apply to mines of coal, mines of stratified ironstone, mines of shale, and mines of fire-clay; and in this Act, unless the context otherwise requires, the word "mine" means a mine to which this Act applies.

PART I.

Employment of Boys, Girls, and Women.

Employment below ground of boys under twelve and of girls and women prohibited.

4. No boy under the age of twelve years, and no girl or woman of any age, shall be employed in or allowed to be for the purpose of employment in any mine below ground.

Hours of employment of boys over twelve below ground.

5. A boy of or above the age of twelve years shall not be employed in or allowed to be for the purpose of employment in any mine below ground for more than fifty-four hours in any one week, nor more than ten hours in any one day, nor otherwise than in accordance with the regulations herein-after contained with respect to the employment of boys in a mine below ground.

Regulations as to employment of boys below ground.

6. With respect to the employment of boys in a mine below ground, the following regulations shall have effect; that is to say,

(1.) There shall be allowed an interval of not less than eight hours between the period of employment on Friday and the period of employment on the following Saturday, and in other cases of not less than twelve hours between each period of employment:

(2.) The period of each employment shall be deemed to begin at the time of leaving the surface, and to end at the time of returning to the surface:

(3.) A week shall be deemed to begin at midnight on Saturday night and to end at midnight on the succeeding Saturday night.

Employment of boys, girls, and women above ground.

7. With respect to boys, girls, and women employed above ground, in connexion with any mine, the following provisions shall have effect:

(1.) No boy or girl under the age of twelve years shall be so employed:

(2.) No boy or girl under the age of thirteen years shall be so employed—

(*a.*) for more than six days in any one week; or

(*b.*) if employed for more than three days in any one week, for more than six hours in any one day; or

(*c.*) in any other case for more than ten hours in any one day:

(3.) No boy or girl of or above the age of thirteen years and no woman shall be so employed for more than fifty-four hours in any one week or more than ten hours in any one day:

(4.) No boy, girl, or woman shall be so employed between the hours of nine at night and five on the following morning, nor on Sunday, nor after two o'clock on Saturday afternoon:

(5.) There shall be allowed an interval of not less than eight hours between the termination of employment on Friday and the commencement of employment on the following Saturday, and in other cases of not less than twelve hours between the termination of employment on one day, and the commencement of the next employment:

(6.) A week shall be deemed to begin at midnight on Saturday night and to end at midnight on the succeeding Saturday night:

(7.) No boy, girl, or woman shall be employed continuously for more than five hours, without an interval of at least half an hour for a meal, nor for more than eight hours on any one day, without an interval or intervals for meals amounting altogether to not less than one hour and a half:

(8.) No boy, girl, or woman shall be employed in moving railway waggons.

The provisions of this section as to the employment of boys, girls, and women after two o'clock on Saturday afternoon, shall not apply in the case of any mine in Ireland so long as it is exempted by order of a Secretary of State.

Register to be kept of boys, girls, and women employed.

8. (1.) The owner agent or manager of every mine shall keep in the office at the mine a register, and shall cause to be entered in that register, in such form as the Secretary of State may from time to time prescribe or sanction, the name, age, residence, and date of first employment of all boys employed in the mine below ground, and of all boys, girls, and women employed above ground in connexion with the mine; and shall on request, produce the register to any inspector under this Act, and to any officer of a school board or school attendance committee in the district in which the mine is situate, at the mine at all reasonable times, and shall allow any such inspector or officer to inspect and copy the same.

(2.) The immediate employer of every boy, other than the owner agent or manager of the mine, before he causes the boy to be below ground in any mine, shall report to the manager of the mine or to some person appointed by that manager, that he is about to employ the boy in the mine.

Penalty for employment of persons in contravention of Act.

9. If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with, any provision of this Act with respect to the employment of boys, girls, or women, or to the register of boys girls and women, or to reporting the intended employment of boys, he shall be guilty of an offence against this Act; and in the event of any such contravention or non-compliance by any person whomsoever, the owner agent and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the provisions of this Act, to prevent the contravention or non-compliance.

Payment of school fees out of wages.

10. (1.) After a request in writing by the principal teacher of a public elementary school which is attended by any boy or girl employed in or in connexion with a mine, the person who pays the wages of the boy or girl shall as long as he employs the boy or girl pay to the principal teacher of that school, for every week that the boy or girl attends the school, the weekly sum specified in the application, not exceeding twopence per week, and not exceeding one-twelfth part of the wages of the boy or girl, and may deduct the sum so paid by him from the wages payable for the services of the boy or girl.

(2.) If any person after such application refuses to pay on demand any sum that becomes due as aforesaid, he shall be liable to a penalty not exceeding ten shillings.

Wages.

Prohibition of payment of wages at public houses, &c.

11. (1.) No wages shall be paid to any person employed in or about any mine at or within any public house, beer shop, or place for the sale of any spirits beer wine cyder or other spirituous or fermented liquor, or other house of entertainment, or any office garden or place belonging or contiguous thereto, or occupied therewith.

(2.) Every person who contravenes or fails to comply with or permits any person to contravene or fail to comply with this section shall be guilty of an offence against this Act; and in the event of

any such contravention or non-compliance by any person whomsoever, the owner agent and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this section to prevent the contravention or non-compliance.

Payment of persons employed in mines by weight.

12. (1.) Where the amount of wages paid to any of the persons employed in a mine depends on the amount of mineral gotten by them, those persons shall be paid according to the actual weight gotten by them of the mineral contracted to be gotten, and the mineral gotten by them shall be truly weighed at a place as near to the pit mouth as is reasonably practicable.

Provided that nothing in this section shall preclude the owner agent or manager of the mine from agreeing with the persons employed in the mine that deductions shall be made in respect of stones or substances other than the mineral contracted to be gotten, which shall be sent out of the mine with the mineral contracted to be gotten, or in respect of any tubs baskets or hutches being improperly filled in those cases where they are filled by the getter of the mineral or his drawer, or by the person immediately employed by him; such deductions being determined in such special mode as may be agreed upon between the owner agent or manager of the mine on the one hand, and the persons employed in the mine on the other, or by some person appointed in that behalf by the owner agent or manager, or (if any check weigher is stationed for this purpose as herein-after mentioned), by such person and such check weigher, or in case of difference by a third person to be mutually agreed on by the owner agent or manager of the mine on the one hand, and the persons employed in the mine on the other, or in default of agreement appointed by a chairman of a court of quarter sessions within the jurisdiction of which any shaft of the mine is situate.

(2.) If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with, this section, he shall be guilty of an offence against this Act; and in the event of any such contravention or non-compliance by any person whomsoever, the owner agent and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this section to prevent the contravention or non-compliance.

(3.) Where it is proved to the satisfaction of a Secretary of State, in the case of any mine or class of mines employing not more than thirty persons underground, to be expedient that the persons employed therein should, upon the joint representation of the owner or owners of any such mine or class of mines and the said persons, be paid by any method other than that provided by this Act, such Secretary of State may, if he think fit, by order allow the same either without conditions or during the time and on the conditions specified in the order.

Appointment on part of men.

13. (1.) The persons who are employed in a mine, and are paid according to the weight of the mineral gotten by them, may, at

and removal, of check weigher.

their own cost, station a person (in this Act referred to as "a check weigher") at each place appointed for the weighing of the mineral, and at each place appointed for determining the deductions in order that he may on behalf of the persons by whom he is so stationed take a correct account of the weight of the mineral or determine correctly the deductions as the case may be.

(2.) A check weigher shall have every facility afforded to him for enabling him to fulfil the duties for which he is stationed, including facilities for examining and testing the weighing machine, and checking the tareing of tubs and trams where necessary; and if at any mine proper facilities are not afforded to a check weigher as required by this section, the owner agent and manager of the mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means to enforce to the best of his power the requirements of this section.

(3.) A check weigher shall not be authorised in any way to impede or interrupt the working of the mine, or to interfere with the weighing, or with any of the workmen or with the management of the mine; but shall be authorised only to take such account or determine such deductions as aforesaid, and the absence of a check weigher from the place at which he is stationed shall not be a reason for interrupting or delaying the weighing or the determination of deductions at such place respectively, but the same shall be done or made by the person appointed in that behalf by the owner agent or manager, unless the absent check weigher had reasonable ground to suppose that the weighing or the determination of the deductions, as the case may be, would not be proceeded with: Provided always, that nothing in this section shall prevent a check weigher giving to any workman an account of the mineral gotten by him, or information with respect to the weighing, or the weighing machine, or the tareing of the tubs or trams, or with respect to the deductions or any other matter within the scope of his duties as check weigher, so always, nevertheless, that the working of the mine be not interrupted or impeded.

(4.) If the owner agent or manager of the mine desires the removal of a check weigher on the ground that the check weigher has impeded or interrupted the working of the mine, or interfered with the weighing, or with any of the workmen, or with the management of the mine, or has at the mine to the detriment of the owner agent or manager done anything beyond taking such account determining such deductions or giving such information as aforesaid, he may complain to a court of summary jurisdiction, who, if of opinion that the owner agent or manager shows sufficient primâ facie ground for the removal of the check weigher, shall call on the check weigher to show cause against his removal.

(5.) On the hearing of the case the court shall hear the parties, and, if they think that at the hearing sufficient ground is shown by the owner agent or manager to justify the removal of the check weigher, shall make a summary order for his removal, and the check weigher shall thereupon be removed, but without prejudice to the stationing of another check weigher in his place.

(6.) The court may in every case make such order as to the costs of the proceedings as the court may think just.

(7.) If in pursuance of any order of exemption made by a Secretary of State, the persons employed in a mine are paid by the measure or gauge of the material gotten by them, the provisions of this Act shall apply in like manner as if the term "weighing" included measuring and gauging, and the terms relating to weighing shall be construed accordingly.

(8.) If the person appointed by the owner, agent, or manager to weigh the mineral impedes or interrupts the check weigher in the proper discharge of his duties, or improperly interferes with or alters the weighing machine or the tare in order to prevent a correct account being taken of the weighing and tareing, he shall be guilty of an offence against this Act.

Remuneration of check weigher.

14. (1.) Where a check weigher has been appointed by the majority, ascertained by ballot, of the persons employed in a mine who are paid according to the weight of the mineral gotten by them, and has acted as such, he may recover from any person for the time being employed at such mine and so paid, his proportion of the check weigher's wages or recompense, notwithstanding that any of the persons by whom the check weigher was appointed may have left the mine or others have entered the same since the check weigher's appointment, any rule of law or equity to the contrary notwithstanding.

(2.) It shall be lawful for the owner or manager of any mine, where the majority of the before-mentioned persons, ascertained as aforesaid, so agree, to retain the agreed contribution of the persons so employed and paid as aforesaid for the check weigher, notwithstanding the provisions of the Acts relating to truck, and to pay and account for the same to the check weigher.

Application of 41 & 42 Vict. c. 49. to weights, &c. used in mines.

15. (1.) The Weights and Measures Act, 1878, shall apply to all weights, balances, scales, steelyards, and weighing machines used at any mine for determining the wages payable to any person employed in the mine according to the weight of the mineral gotten by him, in like manner as it applies to weights, balances, scales, steelyards, and weighing machines used for trade.

(2.) An inspector of weights and measures appointed under the said Act shall once at least in every six months inspect and examine in manner directed by the said Act the weights, balances, scales, steelyards, and weighing machines used or in the possession of any person for use as aforesaid at any mine within his district; and shall also make such inspection and examination at any other time in any case where he has reasonable cause to believe that there is in use at the mine any false or unjust weight, balance, scale, steelyard, or weighing machine.

(3.) The inspector shall also inspect and examine the measures and gauges in use at the mines within his district; but nothing in this section shall prevent or interfere with the use of the measures or gauges ordinarily used at the mine.

(4.) An inspector may, for the purposes of this section, without any authorisation from a justice of the peace, exercise at or in any mine, as respects all weights, measures, scales, balances, steelyards, and weighing machines used or in the possession of any person for use at or in that mine, all such powers as he could exercise, if

authorised in writing by a justice of the peace, under section forty-eight of the Weights and Measures Act, 1878, with respect to any such weights, measures, scales, balances, steelyards, and weighing machines as therein mentioned; and all the provisions of that section, including the liability to penalties, shall apply to such inspection.

(5.) The inspector of weights and measures shall not, in fulfilling the duties required of him under this section, impede or obstruct the working of the mine.

Single Shafts.

Prohibition of single shafts.

16. (1.) After the commencement of this Act the owner agent or manager of a mine shall not employ any person in the mine, or permit any person to be in the mine for the purpose of employment therein, unless the following conditions respecting shafts or outlets are complied with, that is to say,—

(*a.*) There must be at least two shafts or outlets, with which every seam for the time being at work in the mine shall have a communication, so that such shafts or outlets shall afford separate means of ingress and egress available to the persons employed in every such seam, whether the shafts or outlets belong to the same mine or to more than one mine:

(*b.*) Such shafts or outlets must not at any point be nearer to one another than fifteen yards; and there shall be between such two shafts or outlets a communication not less than four feet wide and three feet high, and in the case of communications made after the commencement of this Act between shafts or outlets, not less than four feet high.

(*c.*) Proper apparatus for raising and lowering persons at each such shaft or outlet shall be kept on the works belonging to the mine; and such apparatus if not in actual use at the shafts or outlets, shall be constantly available for use.

(2.) Every owner agent and manager of a mine who acts in contravention of or fails to comply with this section shall be guilty of an offence against this Act.

(3.) Any of Her Majesty's superior courts, whether any other proceedings have or have not been taken, may, on the application of the Attorney General, prohibit by injunction the working of any mine in which any person is employed, or is permitted to be for the purpose of employment, in contravention of this section, and may award such costs in the matter of the injunction as the court thinks just; but this provision shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this Act.

(4.) Written notice of the intention to apply for such injunction in respect of any mine shall be given to the owner agent or manager of the mine not less than ten days before the application is made.

Agreements not to preclude compliance with Act.

17. No person shall be precluded by any agreement from doing such acts as may be necessary for providing a second shaft or outlet to a mine, where the same is required by this Act, or be liable under any contract to any penalty or forfeiture for doing such

acts as may be necessary in order to comply with the provisions of this Act with respect to shafts or outlets.

Exceptions from provisions as to shafts.

18. The foregoing provisions of this Act with respect to shafts or outlets shall not apply—

(i.) In the case of a new mine being opened—

(*a*) to any working for the purpose of making a communication between two or more shafts; or

(*b*) to any working for the purpose of searching for or proving minerals;

so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connexion with a single shaft or outlet: nor

(ii.) To any proved mine so long as it is exempted by order of a Secretary of State on the ground either—

(*a*) that the quantity of mineral proved is not sufficient to repay the outlay which would be occasioned by sinking or making a second shaft or outlet, or by establishing communication with a second shaft or outlet, in any case where such communication existed and has become unavailable; or

(*b*) that the workings in any seam of the mine have reached the boundary of the property or the extremity of the mineral field of which that seam is a part, and that it is expedient to work away the pillars already formed in course of the ordinary working, notwithstanding that one of the shafts or outlets may be cut off by so working away the pillars of that seam;

and so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connexion with a single shaft or outlet; nor

(iii.) To any mine—

(*a*) while a shaft is being sunk, or an outlet being made; or

(*b*) one of the shafts or outlets of which has become, by reason of some accident, unavailable for the use of the persons employed in the mine;

so long as the mine is exempted by order of a Secretary of State, and as the conditions (if any) annexed to the order of exemption are duly observed. The provision in this Act requiring the two shafts or outlets of a mine to be separated by a distance of not less than fifteen yards shall not apply to any mine which is provided with two shafts sunk before the first day of January one thousand eight hundred and sixty-five but at that time separated by a distance of less than ten feet, or commenced to be sunk before the commencement of this Act but separated by a distance of more than ten feet and less than fifteen yards.

The foregoing provisions of this Act as to the dimensions of the communication between two shafts or outlets shall not apply to any mine or class of mines so long as the same is exempted therefrom by order of a Secretary of State by reason of the thinness of the seams or other exigencies affecting that mine or class of mines, and so long as the conditions (if any) annexed to the order of exemption are duly observed.

Division of Mine into Parts.

Division of mine into parts.

19. (1.) Where two or more parts of a mine are worked separately, the owner agent or manager of the mine may give notice in writing to that effect to the inspector of the district, and thereupon each such part shall, for all the purposes of this Act, be deemed to be a separate mine.

(2.) If a Secretary of State is of opinion that the division of a mine in pursuance of this section tends to lead to evasion of the provisions of this Act, or otherwise to prevent the carrying of this Act into effect, he may object to the division by notice served on the owner agent or manager of the mine; and the owner agent or manager, if he declines to acquiesce in such objection, may, within twenty days after receipt of the notice, send a notice to the inspector of the district stating that he declines so to acquiesce, and thereupon the matter shall be determined by arbitration in manner provided by this Act; and the date of the receipt of the last-mentioned notice shall be deemed to be the date of the reference.

Certificated Managers.

Appointment of manager of mine.

20. (1.) Every mine shall be under a manager, who shall be responsible for the control, management, and direction of the mine, and the owner or agent of every such mine shall nominate himself or some other person to be the manager of such mine, and shall send written notice to the inspector of the district of the manager's name and address.

(2.) A person shall not be qualified to be a manager of a mine unless he is for the time being registered as the holder of a first class certificate under this Act.

(3.) If any mine is worked for more than fourteen days without there being such a manager for the mine as is required by this section, the owner and agent of the mine shall each be liable to a fine not exceeding fifty pounds, and to a further fine not exceeding ten pounds for every day during which the mine is so worked.

Provided that—

(*a*.) The owner of the mine shall not be liable to any such fine if he proves that he had taken all reasonable means by the enforcement of this section to prevent the mine being worked in contravention of this section;

(*b*) If for any reasonable cause there is for the time being no manager of a mine qualified as required by this section, the owner or agent of the mine may appoint any competent person not holding a certificate under this Act to be manager, for a period not exceeding two months or such longer period as may elapse before such person has an opportunity in the district wherein the mine is situate of obtaining by examination a certificate under this Act, and shall send to the inspector of the district a written notice of the manager's name and address, and of the reason for his appointment; and

(*c*.) A mine in which not more than thirty persons are employed below ground shall be exempt from the provisions of this section, unless the inspector of the district, by notice in writing served

on the owner or agent of the mine, requires that it be under the control of a manager.

Daily supervision of mine by manager or under-manager.

21. (1.) In every mine required by this Act to be under the control of a certificated manager, daily personal supervision shall be exercised either by the manager, or by an under-manager nominated in writing by the owner or agent of the mine.

(2.) Every person so nominated must hold either a first class or second class certificate under this Act, and shall, in the absence of the manager, have the same responsibility, and be subject to the same liabilities as the manager under this Act; but the nomination of an under-manager shall not affect the personal responsibility of the manager under this Act.

Disqualifications for post of manager or under-manager.

22. A contractor for mineral, or person employed by such a contractor, is not eligible for the post of manager or under-manager under this Act.

Constitution of board for appointing examiners for granting certificates of competency to managers and under-managers.

23. (1.) There shall be two descriptions of certificates of competency under this Act, (i) first class certificates, that is to say, certificates of fitness to be manager; and (ii) second class certificates, that is to say, certificates of fitness to be under-manager; but no person shall be entitled to a certificate under this Act unless he shall have had practical experience in a mine for at least five years.

(2.) For the purpose of granting in any part of the United Kingdom, to be from time to time defined by an order of a Secretary of State, certificates of competency for the purposes of this Act, examiners shall be appointed by a board consisting of—

(*a.*) Three persons being owners of mines in the said part of the United Kingdom; and

(*b.*) Three persons employed or who have been employed in or about any mine in the said part of the United Kingdom, not being owners agents or managers of a mine; and

(*c.*) Three persons practising as mining engineers agents or managers of mines, or coal viewers in the said part of the United Kingdom; and

(*d.*) One inspector under this Act.

(3.) The members of the board shall be appointed and may be removed by a Secretary of State, and shall hold office during his pleasure.

Proceedings and powers of board for appointing examiners.

24. (1.) The proceedings of each board shall be in accordance with the rules contained in schedule one to this Act.

(2.) Each board shall from time to time appoint examiners, not being members of the board, except with the consent of the Secretary of State, to conduct the examinations in the part of the United Kingdom for which the board acts, of applicants for certificates of competency under this Act, and may from time to time make alter and revoke rules as to the conduct of such examinations and the qualifications of the applicants, so, however, that in every such examination regard shall be had to such knowledge as is necessary for the practical working of mines in that part of the United Kingdom, and that the examination and qualifications of applicants for second class certificates shall be suitable for practical working miners.

(3.) Each board shall make from time to time to a Secretary of State a report of their proceedings, and of such other matters as a Secretary of State may from time to time require.

Rules by Secretary of State as to examinations.

25. A Secretary of State may from time to time make alter and revoke rules as to the places and times of examinations of applicants for certificates of competency under this Act, the number and remuneration of the examiners, and the fees to be paid by the applicants, so that the fees do not exceed those specified in schedule two to this Act. Every such rule shall be observed by every board appointed under this Act to which it applies.

Grant of certificates to applicants on passing examination.

26. (1.) A Secretary of State shall deliver to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety experience ability and general good conduct, such a certificate of competency as the case requires. The certificate shall be in such form as a Secretary of State from time to time directs.

(2.) A register of the holders of such certificates shall be kept by such person and in such manner as a Secretary of State from time to time directs.

Inquiry into competency of manager, and cancellation of certificate in case of unfitness.

27. If at any time representation is made to a Secretary of State by an inspector or otherwise, that any manager or under-manager holding a certificate under this Act is by reason of incompetency or gross negligence unfit to discharge his duties, or has been convicted of an offence against this Act, the Secretary of State may, if he think fit, cause inquiry to be made into the conduct of the manager or under-manager, and with respect to every such inquiry the following provisions shall have effect:

(1.) The inquiry shall be public, and shall be held at such place as the Secretary of State may appoint by such county court judge, metropolitan police magistrate, stipendiary magistrate, or other person or persons, as may be directed by the Secretary of State, and either alone or with the assistance of any assessor or assessors named by the Secretary of State:

(2.) The Secretary of State shall, before the commencement of the inquiry, furnish to the manager or under-manager a statement of the case on which the inquiry is instituted:

(3.) Some person appointed by the Secretary of State shall undertake the management of the case:

(4.) The manager or under-manager may attend the inquiry by himself, his counsel, solicitor, or agent, and may, if he thinks fit, be sworn and examined as an ordinary witness in the case:

(5.) The person or persons appointed to hold the inquiry, in this Act referred to as the court, shall, on the conclusion of the inquiry, send to the Secretary of State a report containing a full statement of the case, and the opinion of the court thereon, and such report of, or extracts from the evidence, as the court may think fit:

(6.) The court shall have power to cancel or suspend the certificate of the manager or under-manager, if it finds that he is by reason of incompetency or gross negligence, or of his having been convicted of an offence against this Act, unfit to discharge his duty:

(7.) The court may, if it thinks fit, require a manager or under-manager to deliver up his certificate, and if any manager or under-manager fails, without sufficient cause to the satisfaction of the court, to comply with such requisition, he shall be liable to a fine not exceeding one hundred pounds. The court shall hold a certificate so delivered until the conclusion of the investigation, and shall then either restore cancel or suspend the certificate according to its judgment on the case:

(8.) The court shall have for the purpose of the inquiry, all the powers of a court of summary jurisdiction, and all the powers of an inspector under this Act:

(9.) The court may also, by summons signed by the court, require the attendance of all such persons as it thinks fit to summon and examine for the purpose of the inquiry; and every person so summoned shall be allowed such expenses as would be allowed to a witness attending on subpœna before a court of record; and in case of dispute as to the amount to be allowed, the same shall be referred by the court to a master of one of Her Majesty's superior courts, who, on request signed by the court, shall ascertain and certify the proper amount of such expenses.

Costs and expenses of inquiry.

28. (1.) The court may make such order as it thinks fit respecting the costs and expenses of the inquiry, and such order shall, on the application of any party entitled to the benefit thereof, be enforced by any court of summary jurisdiction as if such costs and expenses were a fine imposed by that court.

(2.) The Secretary of State may, if he thinks fit, pay to the person or persons constituting the court, including any assessors, such remuneration as he may with the consent of the Treasury appoint.

(3.) Any costs and expenses ordered by the court to be paid by a Secretary of State, and any remuneration paid under this section, shall be paid out of moneys provided by Parliament.

Record of cancellation of certificate restoration in certain cases.

29. (1.) Where a certificate of a manager or under-manager is cancelled or suspended in pursuance of this Act, a Secretary of State shall cause the cancellation or suspension to be recorded in the register of holders of certificates.

(2.) A Secretary of State may at any time, if it is shown to him to be just so to do, renew or restore, on such terms as he thinks fit, any certificate which has been cancelled or suspended in pursuance of this Act, and cause the renewal or restoration to be recorded in the register aforesaid.

Copy of certificate in case of loss.

30. Whenever any person proves to the satisfaction of a Secretary of State that he has, without fault on his part, lost or been deprived of any certificate granted to him under this Act, the Secretary of State shall, on payment of such fee, if any, as he may direct, but not exceeding the fee specified in schedule two to this Act, cause a copy of the certificate to which the applicant appears by the register to be entitled, to be made out and certified by the person who keeps the register, and delivered to the applicant; and any copy which purports to be so made and certified as aforesaid shall have all the effect of the original certificate.

Expenses in relation to certificates, and application of fees.

31. (1.) All expenses incurred by a Secretary of State with the concurrence of the Treasury in carrying into effect the provisions of this Act with respect to certificates of competency shall be defrayed out of moneys provided by Parliament.

(2.) All fees payable by the applicants for examination for or for a copy of a certificate under this Act shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may from time to time direct, and be carried to the Consolidated Fund.

Penalty for forgery of, or false declaration as to, certificate.

32. Every person who commits any of the following offences; that is to say,

(1.) Forges, or counterfeits, or knowingly makes any false statement in any certificate of competency under this Act, or in any certificate of service granted under this Act or any Act repealed by this Act, or any official copy of any such certificate; or

(2.) Knowingly utters or uses any such certificate or copy which has been forged or counterfeited or contains any false statement; or

(3.) For the purpose of obtaining, for himself or any other person, employment as a certificated manager or undermanager, or the grant renewal or restoration of any certificate under this Act, or a copy thereof, either

(*a.*) makes or gives any declaration representation statement or evidence which is false in any particular, or

(*b.*) knowingly utters, produces, or makes use of any such declaration representation statement or evidence, or any document containing the same,

shall be guilty of a misdemeanour, and be liable on conviction to imprisonment for a term not exceeding two years, with or without hard labour.

Returns, Plan, Notices, and Abandonment.

Returns by owner agent or manager of mine.

33. (1.) On or before the twenty-first day of January in every year the owner agent or manager of every mine shall send to the inspector of the district on behalf of a Secretary of State a correct return, specifying, with respect to the year ending on the preceding thirty-first day of December, the particulars contained in the form in Schedule Three to this Act, or in such other form as may from time to time be prescribed in lieu of that form by a Secretary of State: Provided that in the case of any mine which is not required by this Act to be under the control of a certificated manager, a return shall not be required of the particulars contained in Part B. of the said form unless or until a Secretary of State otherwise prescribes.

(2.) Forms for the purpose of the returns required by this section shall from time to time, on application, be furnished by the inspector of the district on behalf of the Secretary of State.

(3.) The Secretary of State may publish the aggregate results of the returns made under this section with respect to any particular county or inspector's district, or any large portion of a county or inspector's district, and so much of any individual return as does not relate to the quantity of mineral gotten or wrought,

but the portion of any individual return relating to the quantity of mineral gotten or wrought shall not be published without the consent of the person making the return, or of the owner of the mine to which it relates; and no person except an inspector or Secretary of State or any body of commissioners incorporated by Act of Parliament for the drainage of mines, and authorised to assess and levy rates in respect of minerals gotten from such mines, shall be entitled, without such consent, to see such portion as aforesaid of any individual return.

(4.) Every owner agent or manager of a mine who fails to comply with this section or makes any return which is to his knowledge false in any particular shall be guilty of an offence against this Act.

Plan of mine to be kept at office.

34. (1.) The owner agent or manager of every mine shall keep in the office at the mine an accurate plan of the workings of the mine, showing the workings up to a date not more than three months previously, and the general direction and rate of dip of the strata, together with a section of the strata sunk through, or if that be not reasonably practicable, a statement of the depth of the shaft, with a section of the seam.

(2.) The owner agent or manager of the mine shall, on request at any time of an inspector under this Act, produce to him at the office at the mine such plan and section, and shall also on the like request mark on such plan and section the then state of the workings of the mine; and the inspector shall be entitled to examine the plan and section, and for official purposes only to make a copy of any part thereof respectively.

(3.) If the owner agent or manager of any mine fails to keep, or wilfully refuses to produce or allow to be examined, the plan and section aforesaid, or wilfully withholds any portion thereof, or wilfully refuses, on request, to mark thereon the state of the workings of the mine, or conceals any part of those workings, or produces an imperfect or inaccurate plan or section, he shall (unless he shows that he was ignorant of the concealment imperfection or inaccuracy) be guilty of an offence against this Act; and further, the inspector may by notice in writing (whether a penalty for the offence has or has not been inflicted) require the owner agent or manager to cause an accurate plan and section, showing the particulars herein-before required, to be made within a reasonable time at the expense of the owner of the mine. Every such plan must be on a scale of not less than that of the Ordnance Survey of twenty-five inches to the mile or on the same scale as the plan for the time being in use at the mine.

(4.) If the owner agent or manager fails within twenty days after the requisition of the inspector, or within such further time as may be allowed by a Secretary of State, to cause such plan and section to be made as hereby required, he shall be guilty of an offence against this Act.

Notice to be given of accidents in mines.

35. (1.) Where in or about any mine, whether above or below ground, either—

(i.) loss of life or any personal injury whatever to any person employed in or about the mine occurs by reason of any explosion of gas, or of any explosive, or of any steam boiler; or

(ii.) loss of life or any serious personal injury to any person employed in or about the mine occurs by reason of any accident whatever,

the owner agent or manager of the mine shall, within twenty-four hours next after the explosion or accident, send notice in writing of the explosion or accident and of the loss of life or personal injury occasioned thereby to the inspector of the district on behalf of a Secretary of State, and shall specify in the notice the character of the explosion or accident and the number of persons killed or injured respectively.

(2.) Where loss of life or serious personal injury has immediately resulted from an explosion or accident, the place where the explosion or accident occurred shall be left as it was immediately after the explosion or accident, until the expiration of at least three days after the sending of such notice as aforesaid of such explosion or accident, or until the visit of the place by an inspector, whichever first happens, unless compliance with this enactment would tend to increase or continue a danger or would impede the working of the mine.

(3.) Where any personal injury, of which notice is required to be sent under this section, results in the death of the person injured, notice in writing of the death shall be sent to the inspector of the district on behalf of a Secretary of State within twenty-four hours after such death comes to the knowledge of the owner agent or manager.

(4.) Every owner agent or manager who fails to act in compliance with this section shall be guilty of an offence against this Act.

Notice to be given of opening and abandonment of mine.

36. In any of the following cases, namely,

(i.) Where any working is commenced for the purpose of opening a new shaft for or a seam of any mine;

(ii.) Where a shaft or seam of any mine is abandoned or the working thereof discontinued;

(iii.) Where the working of a shaft or a seam of any mine is recommenced after any abandonment or discontinuance for a period exceeding two months; or

(iv.) Where any change occurs in the name of any mine or in the name of the owner agent or manager of any mine to which this Act applies, or in the principal officers of any incorporated company which is the owner of a mine;

the owner agent or manager of the mine shall give notice thereof to the inspector of the district within two months after the commencement abandonment discontinuance recommencement or change, and if such notice is not given the owner agent or manager shall be guilty of an offence against this Act.

Fencing in case of abandoned mine.

37. (1.) Where any mine is abandoned or the working thereof discontinued, at whatever time the abandonment or discontinuance occurred, the owner thereof, and every other person interested in the minerals of the mine, shall cause the top of every shaft and every side entrance from the surface to be and to be kept securely fenced for the prevention of accidents:

Provided that—

(i.) Subject to any contract to the contrary, the owner of the mine shall, as between himself and any other person interested in the minerals of the mine, be liable to carry into effect this section, and to pay any costs charges and expenses incurred by any other person interested in the minerals of the mine in carrying this section into effect:

(ii.) Nothing in this section shall exempt any person from any liability under any other Act, or otherwise.

(2.) If any person fails to act in conformity with this section, he shall be guilty of an offence against this Act.

(3.) No person shall be precluded by any agreement from doing, or be liable under any contract to any damages penalty or forfeiture for doing such acts as may be necessary in order to comply with the provisions of this section.

(4.) If any occupier of land or other person wilfully obstructs the owner of a mine or other person interested as aforesaid in doing any such acts, he shall be guilty of an offence against this Act.

(5.) Any shaft or side entrance which is not fenced as required by this section, and is within fifty yards of any highway, road, footpath, or place of public resort, or is in open or uninclosed land, shall be deemed to be a nuisance within the meaning of section ninety-one of the Public Health Act, 1875.

38 & 39 Vict. c. 55.

Plan of abandoned mine or seam to be sent to Secretary of State.

38. (1.) Where any mine or seam is abandoned, the owner of the mine or seam at the time of its abandonment shall, within three months after the abandonment, send to a Secretary of State an accurate plan showing the boundaries of the workings of the mine or seam up to the time of the abandonment, and the position of the workings with regard to the surfaces, and the general direction and rate of dip of the strata, together with a section of the strata sunk through, or if that is not reasonably practicable, a statement of the depth of the shaft, with a section of the seam. Every such plan must be on a scale of not less than that of the Ordnance Survey of twenty-five inches to the mile, or on the same scale as the plan used at the mine at the time of its abandonment.

(2.) The plan and section shall be preserved under the care of the Secretary of State; but no person, except an inspector under this Act, shall be entitled, without the consent of the owner of the mine or seam, to see the plan when so sent until after the expiration of ten years from the time of the abandonment.

(3.) The owner aforesaid shall also, within three months of the abandonment of the mine or seam, send to the inspector of the district, on behalf of a Secretary of State, a correct return specifying, with respect to the period which has elapsed since the expiration of the year covered by the last annual return made under this Act, the particulars required in that return; and the provisions of this Act with respect to the said annual return shall apply to the return so sent.

(4.) If the owner of a mine or seam fails to comply with this section, he shall be guilty of an offence against this Act, and be liable to a fine not exceeding thirty pounds.

(5.) A complaint or information of an offence under this section may be made or laid at any time within six months after abandonment of the mine or seam, or after service on the owner aforesaid of a notice to comply with the requirements of this section, whichever last happens.

Inspection.

Appointment of inspectors of mines.

39. (1.) A Secretary of State may from time to time appoint any fit persons to be inspectors (under whatever title he may from time to time fix) of mines, and assign them their duties, and may award them such salaries as the Treasury may approve, and may remove any such inspector: Provided always, that in the appointment of inspectors of mines in Wales and Monmouthshire among candidates, otherwise equally qualified, persons having a knowledge of the Welsh language shall be preferred.

(2.) Notice of the appointment of every such inspector shall be published in the London Gazette.

(3.) Every such inspector is referred to in this Act as an inspector, and the inspector of a district means the inspector who is for the time being assigned to the district or portion of the United Kingdom with reference to which the term is used.

35 & 36 Vict. c. 77.

(4.) Any person appointed or acting as inspector under the Metalliferous Mines Regulation Act, 1872, if directed by a Secretary of State to act as an inspector under this Act, may so act, and shall be deemed to be an inspector under this Act.

(5.) The salaries of the inspectors and the expenses incurred by them or by a Secretary of State in the execution of this Act shall continue to be paid out of moneys to be provided by Parliament.

Disqualification of persons as inspectors.

40. Any person who practises or acts as or is a partner of any person who practises or acts as a land agent or mining engineer, or as a manager viewer agent or valuer of mines, or arbitrator in any difference arising between owners agents or managers of mines, or is otherwise employed in or about any mine, or is a miner's agent or a mine owner (whether the mine is one to which this Act applies or not), shall not act as an inspector of mines under this Act, and no inspector shall be a partner or have any interest direct or indirect in any mine in the district under his charge.

Powers of inspectors.

41. An inspector under this Act shall have power to do all or any of the following things; namely,

(i.) To make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act relating to matters above ground or below ground are complied with in the case of any mine:

(ii.) To enter inspect and examine any mine, and every part thereof, at all reasonable times by day and night, but so as not to impede or obstruct the working of the mine:

(iii.) To examine into and make inquiry respecting the state and condition of any mine, or any part thereof, and the ventilation of the mine, and the sufficiency of the special rules for the time being in force in the mine, and all matters and things connected with or relating to the safety of the persons employed in or about the mine or any mine contiguous thereto, or the

care and treatment of the horses and other animals used in the mine:

(iv.) To exercise such other powers as may be necessary for carrying this Act into effect.

Every person who wilfully obstructs any inspector in the execution of his duty under this Act, and every owner agent and manager of a mine who refuses or neglects to furnish to the inspector the means necessary for making any entry inspection examination or inquiry under this Act, in relation to the mine, shall be guilty of an offence against this Act.

Notice by inspector of causes of danger not expressly provided against.

42. (1.) If in any respect (which is not provided against by any express provision of this Act, or by any special rule) any inspector finds any mine, or any part thereof, or any matter thing or practice in or connected with any such mine, or with the control, management, or direction thereof by the manager to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, he may give notice in writing thereof to the owner agent or manager of the mine, and shall state in the notice the particulars in which he considers the mine or any part thereof, or any matter thing or practice, to be dangerous or defective, and require the same to be remedied; and unless the same be forthwith remedied shall also report the same to a Secretary of State.

(2.) If the owner agent or manager of the mine objects to remedy the matter complained of in the notice he may, within ten days after receipt of the notice, send his objection in writing, stating the grounds thereof, to a Secretary of State; and thereupon the matter shall be determined by arbitration in manner provided by this Act; and the date of the receipt of the objection shall be deemed to be the date of the reference.

(3.) If the owner agent or manager fail, when no objection is sent as aforesaid, to comply with the requisition of the notice within ten days after the expiration of the time for objection, or when there has been an arbitration to comply with the award within the time fixed by the award, he shall be guilty of an offence against this Act, and the notice and award shall respectively be deemed to be written notice of the offence.

Provided that the court, if satisfied that the owner agent or manager has taken active measures for complying with the notice or award, but has not, with reasonable diligence, been able to complete the works, may adjourn any proceedings taken before them for punishing the offence, and, if the works are completed within a reasonable time, no penalty shall be inflicted.

(4.) No person shall be precluded by any agreement from doing, or be liable under any contract to any penalty or forfeiture for doing, such acts as may be necessary in order to comply with the provisions of this section.

Annual reports of inspectors.

43. Every inspector of a district under this Act shall make an annual report of his proceedings during the preceding year to a Secretary of State, which report shall be laid before both Houses of Parliament.

Special reports of inspectors.

44. Where in any mine an explosion or accident has caused loss of life or personal injury to any person, a Secretary of State may at any time direct an inspector to make a special report with respect to the explosion or accident.

Formal investigation when directed by Secretary of State.

45. Where it appears to a Secretary of State that a formal investigation of any explosion or accident and of its causes and circumstances is expedient, the Secretary of State may direct such investigation to be held, and with respect to any such investigation the following provisions shall have effect:

(1.) The Secretary of State may appoint a competent person to hold the investigation, and may appoint any person or persons possessing legal or special knowledge to act as assessor or assessors in holding the investigation.

(2.) The person or persons so appointed (herein-after called the court) shall hold the investigation in open court, in such manner and under such conditions as the court may think most effectual for ascertaining the causes and circumstances of the explosion or accident, and enabling the court to make the report in this section mentioned.

(3.) The court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and all the powers of an inspector under this Act, and in addition the following powers; namely,

(*a.*) Power to enter and inspect any place or building the entry or inspection whereof appears to the court requisite for the said purpose:

(*b.*) Power, by summons signed by the court, to require the attendance of all such persons as it thinks fit to call before it and examine for the said purpose, and for that purpose to require answers or returns to such inquiries as it thinks fit to make:

(*c.*) Power to require the production of all books papers and documents which it considers important for the said purpose:

(*d.*) Power to administer an oath and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination:

(4.) Persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a court of record; and in case of dispute as to the amount to be allowed, the same shall be referred by the court to a master of one of Her Majesty's superior courts, who on request, signed by the court, shall ascertain and certify the proper amount of the expenses:

(5.) The court holding an investigation under this section shall make a report to the Secretary of State, stating the causes of the explosion or accident and its circumstances, and adding any observations which the court thinks right to make:

(6.) All expenses incurred in and about an investigation under this section (including the remuneration of any person appointed to act as assessor) shall be deemed to be part of

the expenses of the Secretary of State in the execution of this Act.

(7.) Any person who without reasonable excuse (proof whereof shall lie on him) either fails, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this section, or prevents or impedes the court in the execution of its duty, shall for every such offence be liable to a fine not exceeding ten pounds, and in the case of a failure to comply with a requisition for making any return or producing any document shall be liable to a fine not exceeding ten pounds for every day that such failure continues.

Publication of reports.

46. The Secretary of State may cause any special report of an inspector or any report of a court under this part of this Act to be made public at such time and in such manner as he may think fit.

Arbitration.

Provisions as to arbitrations.

47. With respect to arbitrations under this Act, the following provisions shall have effect:

(1.) The parties to the arbitration are in this section deemed to be the owner agent or manager of the mine on the one hand, and the inspector of mines (on behalf of the Secretary of State) on the other:

(2.) Each of the parties to the arbitration may, within fourteen days after the date of the reference, appoint an arbitrator:

(3.) No person shall act as arbitrator or umpire under this Act who is employed in or in the management of or is interested in the mine to which the arbitration relates:

(4.) The appointment of an arbitrator under this section shall be in writing, and notice of the appointment shall be forthwith sent to the other party to the arbitration, and shall not be revoked without the consent of that party:

(5.) The death removal or other change in any of the parties to the arbitration shall not affect the proceedings under this section:

(6.) If within the said fourteen days either of the parties fails to appoint an arbitrator, the arbitrator appointed by the other party may proceed to hear and determine the matter in difference, and in that case the award of the single arbitrator shall be final:

(7.) If before an award has been made any arbitrator appointed by either party dies or becomes incapable to act, or for seven days refuses or neglects to act, the party by whom such arbitrator was appointed may appoint some other person to act in his place; and if he fails to do so within seven days after notice in writing from the other party for that purpose, the remaining arbitrator may proceed to hear and determine the matter in difference, and in that case the award of the single arbitrator shall be final:

(8.) In either of the foregoing cases where an arbitrator is empowered to act singly, on one of the parties failing to

appoint, the party so failing may, before the single arbitrator has actually proceeded in the arbitration, appoint an arbitrator, who shall then act as if no failure had occurred:

(9.) If the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed, or within such extended time (if any) as may have been appointed for that purpose by both arbitrators under their hands, the matter in difference shall be determined by the umpire appointed as herein-after mentioned:

(10.) The arbitrators, before they enter on the matter referred to them, shall appoint by writing under their hands an umpire to decide on points on which they may differ:

(11.) If the umpire dies or becomes incapable of acting before he has made his award, or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the persons or person who appointed such umpire shall forthwith appoint another umpire in his place:

(12.) If the arbitrators refuse or fail or for seven days after the request of either party neglect to appoint an umpire, then on the application of either party an umpire may be appointed by the chairman of the general or quarter sessions of the peace, within the jurisdiction of which the mine or any shaft of the mine is situate:

(13.) The decision of every umpire on the matters referred to him shall be final:

(14.) If a single arbitrator fails to make his award within twenty-one days after the day on which he was appointed, the party who appointed him may appoint another arbitrator to act in his place:

(15.) Arrangements shall whenever practicable be made for the matter in difference being heard at the same time before the arbitrators and the umpire:

(16.) The arbitrators and the umpire or any of them may examine the parties and their witnesses on oath, and may also consult any counsel engineer or scientific person whom they may think it expedient to consult:

(17.) The payment, if any, to be made to any arbitrator or umpire for his services shall be fixed by the Secretary of State, and together with the costs of the arbitration and award shall be paid by the parties or one of them according as the award may direct. Such costs may be taxed by a master of one of Her Majesty's superior courts, who, on the written application of either of the parties, shall ascertain and certify the proper amount thereof. The amount, if any, payable by the Secretary of State shall be paid as part of the expenses of inspectors under this Act. The amount, if any, payable by the owner agent or manager may in the event of non-payment be recovered in the same manner as fines under this Act:

(18.) Every person who is appointed an arbitrator under this section shall be a practical mining engineer, or a person accustomed to the working of mines, and every person who is appointed an umpire under this section shall be a county court judge, a police or stipendiary magistrate, a recorder of a

borough, or a registrar of a county court, but when an award has been made under this section the arbitrator or umpire who made it shall be deemed to have been duly qualified as provided by this section.

Coroners.

Provisions as to coroners' inquests on deaths from accidents in mines.

48. With respect to coroners' inquests on the bodies of persons whose death may have been caused by explosions or accidents in or about mines, the following provisions shall have effect:

(1.) Where a coroner holds an inquest on the body of any person whose death may have been caused by any explosion or accident, of which notice is required by this Act to be given to the inspector of the district, the coroner shall adjourn the inquest unless an inspector, or some person on behalf of a Secretary of State, is present to watch the proceedings:

(2.) The coroner, at least four days before holding the adjourned inquest, shall send to the inspector for the district notice in writing of the time and place of holding the adjourned inquest:

(3.) The coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof:

(4.) If an explosion or accident has not occasioned the death of more than one person, and the coroner has sent to the inspector of the district notice of the time and place of holding the inquest at such time as to reach the inspector not less than twenty-four hours before the time of holding the same, it shall not be imperative on him to adjourn the inquest in pursuance of this section, if the majority of the jury think it unnecessary so to adjourn:

(5.) An inspector shall be at liberty at any such inquest to examine any witness, subject nevertheless to the order of the coroner:

(6.) Where evidence is given at an inquest at which an inspector is not present of any neglect as having caused or contributed to the explosion or accident, or of any defect in or about the mine appearing to the coroner or jury to require a remedy, the coroner shall send to the inspector of the district notice in writing of such neglect or defect:

(7.) Any person having a personal interest in or employed in or in the management of the mine in which the explosion or accident occurred shall not be qualified to serve on the jury empannelled on the inquest; and it shall be the duty of the constable or other officer not to summon any person disqualified under this provision, and it shall be the duty of the coroner not to allow any such person to be sworn or to sit on the jury:

(8.) Any relative of any person whose death may have been caused by the explosion or accident with respect to which the inquest is being held, and the owner agent or manager of the mine in which the explosion or accident occurred, and any person appointed by the order in writing of the majority of the workmen employed at the said mine, shall be at liberty to

attend and examine any witness, either in person or by his counsel, solicitor, or agent, subject nevertheless to the order of the coroner.

Every person who fails to comply with the provisions of this section shall be guilty of any offence against this Act.

PART II.

RULES.

General Rules.

General rules :

49. The following general rules shall be observed, so far as is reasonably practicable, in every mine:

Ventilation of mine.

Rule 1. An adequate amount of ventilation shall be constantly produced in every mine to dilute and render harmless noxious gases to such an extent that the working places of the shafts, levels, stables, and workings of the mine, and the travelling roads to and from those working places shall be in a fit state for working and passing therein.

In the case of mines required by this Act to be under the control of a certificated manager, the quantity of air in the respective splits or currents shall at least once in every month be measured and entered in a book to be kept for the purpose at the mine.

Rule 2. Where a fire is used for ventilation in any mine newly opened after the passing of this Act, the return air, unless it be so diluted as not to be inflammable, shall be carried off clear of the fire by means of a dumb drift or airway.

Rule 3. Where a mechanical contrivance for ventilation is introduced into any mine after the commencement of this Act, it shall be in such position and placed under such conditions as will tend to ensure its being uninjured by an explosion.

Stations and inspection of condition as to ventilation, &c.

Rule 4. A station or stations shall be appointed at the entrance to the mine, or to different parts of the mine, as the case may require; and the following provisions shall have effect:

(i.) As to inspection before commencing work:—

A competent person or competent persons appointed by the owner agent or manager for the purpose not being contractors for getting minerals in the mine shall, within such time immediately before the commencement of each shift as shall be fixed by special rules made under this Act, inspect every part of the mine situate beyond the station or each of the stations, and in which workmen are to work or pass during that shift, and shall ascertain the condition thereof so far as the presence of gas ventilation, roof and sides, and general safety are concerned.

No workman shall pass beyond any such station until the part of the mine beyond that station has been so examined and stated by such competent person to be safe.

The inspection shall be made with a locked safety lamp, except in the case of any mine in which inflammable gas has not been found within the preceding twelve months.

A report specifying where noxious or inflammable gas, if any, was found present, and what defects (if any) in roofs or sides, and

what (if any) other source of danger were or was observed, shall be recorded without delay in a book to be kept at the mine for the purpose, and accessible to the workmen, and such report shall be signed by, and so far as the same does not consist of printed matter shall be in the handwriting of the person who made the inspection.

For the purpose of the foregoing provisions of this rule, two or more shifts succeeding one another without any interval are to be deemed to be one shift.

(ii.) As to inspection during shifts:—

A similar inspection shall be made in the course of each shift of all parts of the mine in which workmen are to work or pass during that shift, but it shall not be necessary to record a report of the same in a book: Provided that in the case of a mine worked continuously throughout the twenty-four hours by a succession of shifts, the report of one of such inspections shall be recorded in manner above required.

Inspection of machinery, &c. above and below ground.

Rule 5. A competent person or competent persons appointed by the owner agent or manager for the purpose, shall, once at least in every twenty-four hours, examine the state of the external parts of the machinery, the state of the guides and conductors in the shafts, and the state of the head gear, ropes, chains, and other similar appliances of the mine which are in actual use both above ground and below ground, and shall once at least in every week examine the state of the shafts by which persons ascend or descend; and shall make a true report of the result of such examination, and every such report shall be recorded without delay in a book to be kept at the mine for the purpose, and shall be signed by the person who made the inspection.

Fencing of entrances.

Rule 6. Every entrance to any place which is not in actual use or course of working and extension, shall be properly fenced across the whole width of the entrance, so as to prevent persons inadvertently entering the same.

Withdrawal of workmen in case of danger.

Rule 7. If at any time it is found by the person for the time being in charge of the mine, or any part thereof, that by reason of inflammable gases prevailing in the mine, or that part thereof, or of any cause whatever, the mine or that part is dangerous, every workman shall be withdrawn from the mine or part so found dangerous, and a competent person appointed for the purpose shall inspect the mine or part so found dangerous, and if the danger arises from inflammable gas shall inspect the mine or part with a locked safety lamp; and in every case shall make a true report of the condition of the mine or part; and a workman shall not, except in so far as is necessary for inquiring into the cause of danger or for the removal thereof, or for exploration, be re-admitted into the mine, or part so found dangerous, until the same is stated by the person appointed as aforesaid not to be dangerous. Every such report shall be recorded in a book which shall be kept at the mine for the purpose, and shall be signed by the person who made the inspection.

Use of safety lamps in certain places.

Rule 8. No lamp or light other than a locked safety lamp shall be allowed or used—

(*a.*) In any place in a mine in which there is likely to be any such quantity of inflammable gas as to render the use of naked lights dangerous; or

(*b.*) In any working approaching near a place in which there is likely to be an accumulation of inflammable gas.

And when it is necessary to work the coal in any part of a ventilating district with safety lamps, it shall not be allowable to work the coal with naked lights in another part of the same ventilating district situated between the place where such lamps are being used and the return airway.

Construction of safety lamps

Rule 9. Wherever safety lamps are used, they shall be so constructed that they may be safely carried against the air current ordinarily prevailing in that part of the mine in which the lamps are for the time being in use, even though such current should be inflammable.

Examination of safety lamps.

Rule 10. In any mine or part of a mine in which safety lamps are required by this Act or by the special rules made in pursuance of this Act to be used—

(i.) A competent person appointed by the owner agent or manager for the purpose, shall, either at the surface or at the appointed lamp station, examine every safety lamp immediately before it is taken into the workings for use, and ascertain it to be in safe working order and securely locked; and such lamps shall not be used until they have been so examined and found in safe working order and securely locked:

(ii.) A safety lamp shall not be unlocked except either at the appointed lamp station or for the purpose of firing a shot, in conformity with the provisions herein-after contained:

(iii.) A person, unless he has been appointed either for the purpose of examining safety lamps or for the purpose of firing shots, shall not have in his possession any contrivance for opening the lock of any safety lamp:

(iv.) A person shall not have in his possession any lucifer match or apparatus of any kind for striking a light, except within a completely closed chamber attached to the fuse of the shot.

Lamp stations.

Rule 11. Where safety lamps are required to be used, the position of the lamp stations for lighting or re-lighting the lamps shall not be in the return air.

Use of explosives below ground.

Rule 12. Any explosive substance shall only be used in the mine below ground as follows:

(*a.*) It shall not be stored in the mine:

(*b.*) It shall not be taken into the mine, except in cartridges in a secure case or canister containing not more than five pounds:

Provided that on the application of the owner agent or manager of any mine, the Secretary of State may by order exempt such mine from so much of this rule as forbids taking an explosive substance into the mine except in cartridges.

(*c.*) A workman shall not have in use at one time in any one place more than one of such cases or canisters:

(*d.*) In the process of charging or stemming for blasting, a person shall not use or have in his possession any iron or steel pricker,

scraper, charger, tamping rod, or stemmer, nor shall coal or coal dust be used for tamping:

(*e.*) No explosive shall be forcibly pressed into a hole of insufficient size, and, when a hole has been charged, the explosive shall not be unrammed, and no hole shall be bored for a charge at a distance of less than six inches from any hole where the charge has missed fire:

(*f.*) In any place in which the use of a locked safety lamp is for the time being required by or in pursuance of this Act, or which is dry and dusty, no shot shall be fired except by or under the direction of a competent person appointed by the owner agent or manager of the mine, and such person shall not fire the shot or allow it to be fired until he has examined both the place itself where the shot is to be fired and all contiguous accessible places of the same seam within a radius of twenty yards, and has found such place safe for firing:

(*g.*) If in any mine, at either of the four inspections under rule 4 recorded last before a shot is to be fired, inflammable gas has been reported to be present in the ventilating district in which the shot is to be fired, the shot shall not be fired—

(1.) Unless a competent person, appointed as aforesaid, has examined the place where gas has been so reported to be present, and has found that such gas has been cleared away, and that there is not at or near such place sufficient gas issuing or accumulated to render it unsafe to fire the shot; or

(2.) Unless the explosive employed in firing the shot is so used with water or other contrivance as to prevent it from inflaming gas, or is of such a nature that it cannot inflame gas:

(*h.*) If the place where a shot is to be fired is dry and dusty, then the shot shall not be fired unless one of the following conditions is observed, that is to say—

(1.) Unless the place of firing and all contiguous accessible places within a radius of twenty yards therefrom are at the time of firing in a wet state from thorough watering or other treatment equivalent to watering, in all parts where dust is lodged, whether roof, floor, or sides; or

(2.) In the case of places in which watering would injure the roof or floor, unless the explosive is so used with water or other contrivance as to prevent it from inflaming gas or dust, or is of such a nature that it cannot inflame gas or dust:

(*i.*) If such dry and dusty place is part of a main haulage road, or is a place contiguous thereto, and showing dust adhering to the roof and sides, no shot shall be fired there unless—

(1.) Both the conditions mentioned in sub-head (*h*) have been observed; or

(2.) Unless such one of the conditions mentioned in sub-head (*h*) as may be applicable to the particular place has been observed, and moreover all workmen have been

removed from the seam in which the shot is to be fired, and from all seams communicating with the shaft on the same level, except the men engaged in firing the shot, and such other persons, not exceeding ten, as are necessarily employed in attending to the ventilating furnaces, steam boilers, engines, machinery, winding apparatus, signals, or horses, or in inspecting the mine:

(*k.*) In this Act "ventilating district" means such part of a seam as has an independent intake commencing from a main intake air course, and an independent return airway terminating at a main return air course; and "main haulage road" means a road which has been, or for the time being is, in use for moving trams by steam or other mechanical power:

(*l.*) Where a seam of a mine is not divided into separate ventilating districts the provisions in this Act relating to ventilating districts shall be read as though the word "seam" were substituted for the words "ventilating district":

(*m.*) So much of this rule as requires the explosive substance taken into the mine to be in cartridges, and so much of the provisions of sub-head (*f*) as relates to a dry and dusty place, and the provisions (*g*), (*h*), (*i*), (*k*), and (*l*) shall not apply to seams of clay or stratified ironstone which are not worked in connexion with any coal seam, and which contain no coal in the working.

Water and bore-holes.

Rule 13. Where a place is likely to contain a dangerous accumulation of water, the working approaching that place shall not at any point within forty yards of that place exceed eight feet in width, and there shall be constantly kept at a sufficient distance, not being less than five yards, in advance, at least one bore-hole near the centre of the working, and sufficient flank bore-holes on each side.

Signalling and man-holes for travelling planes worked by machinery.

Rule 14. Every underground plane on which persons travel, which is self-acting or worked by an engine windlass or gin, shall be provided (if exceeding thirty yards in length) with some proper means of communicating distinct and definite signals between the stopping places and the ends of the plane, and shall be provided in every case, with sufficient man-holes for places of refuge, at intervals of not more than twenty yards, or if there is not room for a person to stand between the side of a tub and the side of the plane, then (unless the tubs are moved by an endless chain or rope) at intervals of not more than ten yards.

Man-holes for other travelling roads.

Rule 15. Every road on which persons travel underground where the load is drawn by a horse or other animal shall be provided, at intervals of not more than fifty yards, with sufficient man-holes, or with places of refuge, and every such place of refuge shall be of sufficient length, and at least three feet in width, between the waggons running on the road and the side of such road. There shall be at least two proper travelling ways into every steam engine room and boiler gallery.

Man-holes to be kept clear.

Rule 16. Every man-hole and every place of refuge shall be constantly kept clear, and no person shall place anything in any such man-hole or place of refuge.

Rule 17. Every travelling road on which a horse or other draught animal is used underground shall be of sufficient dimensions to allow the horse or other animal to pass without rubbing against the roof or timbering. Dimensions of travelling roads.

Rule 18. The top of every shaft which for the time being is out of use, or used only as an air shaft, shall be and shall be kept securely fenced. Fencing of old shafts.

Rule 19. The top and all entrances between the top and bottom, including the sump, if any, of every working ventilating or pumping shaft shall be properly fenced, but this shall not be taken to forbid the temporary removal of the fence for the purpose of repairs or other operations, if proper precautions are used. Fencing of entrances to shafts.

Rule 20. Where the natural strata are not safe, every working or pumping shaft shall be securely cased lined or otherwise made secure. Securing of shafts.

Rule 21. The roof and sides of every travelling road and working place shall be made secure, and a person shall not, unless appointed for the purpose of exploring or repairing, travel or work in any such travelling road or working place which is not so made secure. Securing of roofs and sides.

Rule 22. Where the timbering of the working places is done by the workmen employed therein, suitable timber shall be provided at the working place, gate end, pass bye, siding or other similar place in the mine convenient to the workmen, and the distance between the sprags or holing props where they are required shall not exceed six feet or such less distance as may be ordered by the owner agent or manager. Timbering.

Rule 23. Where there is a downcast and furnace shaft to the same seam, and both such shafts are provided with apparatus in use for raising and lowering persons, every person employed in the mine shall, on giving reasonable notice, have the option of using the downcast shaft. Option of using downcast shaft.

Rule 24. In any mine which is usually entered by means of machinery, a competent male person not less than twenty-two years of age shall be appointed for the purpose of working the machinery which is employed in lowering and raising persons therein, and shall attend for that purpose during the whole time that any person is below ground in the mine. Attendance of engine-man.

Where any shaft, plane, or level is used for the purpose of communication from one part to another part of a mine, and persons are taken up or down or along such shaft, plane, or level by means of any engine, windlass, or gin, driven or worked by steam or any mechanical power, or by an animal, or by manual labour, the person in charge of such engine, windlass, or gin, or of any part of the machinery, ropes, chains, or tackle connected therewith must be a competent male person not less than eighteen years of age.

Where the machinery is worked by an animal, the person under whose direction the driver of the animal acts, shall for the purposes of this rule, be deemed to be the person in charge of the machinery.

Rule 25. Every working shaft used for the purpose of drawing minerals or for the lowering or raising of persons shall, if exceeding fifty yards in depth, and not exempted in writing by the inspector Means of signalling for working shafts.

of the district, be provided with guides and some proper means of communicating distinct and definite signals from the bottom of the shaft and from every entrance for the time being in use between the surface and the bottom of the shaft to the surface, and from the surface to the bottom of the shaft and to every entrance for the time being in use between the surface and the bottom of the shaft.

Rule 26. If in any mine the winding apparatus is not provided with some automatic contrivance to prevent overwinding, then the cage, when men are being raised, shall not be wound up at a speed exceeding three miles an hour, after the cage has reached a point in the shaft to be fixed by the special rules.

Cover overhead.

Rule 27. A sufficient cover overhead shall be used for every cage or tub employed in lowering or raising persons in any working shaft, except where the cage or tub is worked by a windlass, or where persons are employed at work in the shaft, or where a written exemption is given by the inspector of the district.

Chains.

Rule 28. A single linked chain shall not be used for lowering or raising persons in any working shaft or plane except for the short coupling chain attached to the cage or tub.

Prevention of rope slipping on drum.

Rule 29. There shall be on the drum of every machine used for lowering or raising persons, such flanges or horns, and also if the drum is conical, such other appliances as may be sufficient to prevent the rope from slipping.

Break and indicator.

Rule 30. There shall be attached to every machine worked by steam, water, or mechanical power, and used for lowering or raising persons, an adequate break or breaks, and a proper indicator (in addition to any mark on the rope) showing to the person who works the machine the position of the cage or tub in the shaft.

If the drum is not on the crank shaft, there shall be an adequate break on the drum shaft.

Fencing machinery.

Rule 31. Every fly-wheel and all exposed and dangerous parts of the machinery used in or about the mine shall be and shall be kept securely fenced.

Safety valves and gauges for boilers.

Rule 32. Each steam boiler, whether separate or one of a range, shall have attached to it a proper safety valve, and also a proper steam gauge and water gauge, to show respectively the pressure of steam and the height of water in each boiler.

Barometer, &c.

Rule 33. A barometer and thermometer shall be placed above ground in a conspicuous position near the entrance to the mine.

Stretchers.

Rule 34. Where persons are employed underground, ambulances or stretchers, with splints and bandages, shall be kept at the mine ready for immediate use in case of accident.

Wilful damage.

Rule 35. No person shall wilfully damage, or without proper authority remove or render useless, any fence, fencing, man-hole, place of refuge, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, break, indicator, steam gauge, water gauge, safety valve, or other appliance or thing provided in any mine in compliance with this Act.

Observance of directions.

Rule 36. Every person shall observe such directions with respect to working as may be given to him with a view to comply with this Act or the special rules in force in the mine.

Rule 37. The books mentioned in these rules shall be provided by the owner agent or manager, and the books, or a correct copy thereof, shall be kept at the office at the mine, and any inspector under this Act, and any person employed in the mine or any one having the written authority of any inspector or person so employed, may at all reasonable times inspect and take copies of and extracts from any such books; but nothing in these rules shall be construed to impose the obligation of keeping any such book or a copy thereof for more than twelve months after the book has ceased to be used for entries therein under this Act. Books and copies thereof.

Any report by this Act required to be recorded in a book may be partly in print (including lithograph) and partly in writing.

Rule 38. The persons employed in a mine may from time to time appoint two of their number or any two persons, not being mining engineers, who are practical working miners, to inspect the mine at their own cost, and the persons so appointed shall be allowed once at least in every month, accompanied, if the owner agent or manager of the mine thinks fit, by himself or one or more officers of the mine, to go to every part of the mine, and to inspect the shafts, levels, planes, working places, return air-ways, ventilating apparatus, old workings, and machinery. Every facility shall be afforded by the owner agent and manager, and all persons in the mine for the purpose of the inspection, and the persons appointed shall forthwith make a true report of the result of the inspection, and that report shall be recorded in a book to be kept at the mine for the purpose, and shall be signed by the persons who made the inspection; and if the report state the existence or apprehended existence of any danger, the owner agent or manager shall forthwith cause a true copy of the report to be sent to the inspector of the district. Periodical inspection on behalf of workmen.

Rule 39. No person not now employed as a coal or ironstone getter shall be allowed to work alone as a coal or ironstone getter in the face of the workings until he has had two years' experience of such work under the supervision of skilled workmen, or unless he shall have been previously employed for two years in or about the face of the workings of a mine.

50. Every person who contravenes or does not comply with any of the general rules in this Act, shall be guilty of an offence against this Act; and in the event of any contravention of or non-compliance with any of the said general rules in the case of any mine to which this Act applies, by any person whomsoever, the owner agent and manager shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine, to prevent such contravention or non-compliance. Penalty on non-compliance with rules.

Special Rules.

51. (1.) There shall be established in every mine such rules (referred to in this Act as special rules) for the conduct and guidance of the persons acting in the management of such mine or employed in or about the mine as, under the particular state Special rules for every mine.

and circumstances of such mine, may appear best calculated to prevent dangerous accidents, and to provide for the safety convenience and proper discipline of the persons employed in or about the mine.

(2.) Such special rules, when established, shall be signed in duplicate by the inspector who is inspector of the district at the time the rules are established, and shall be observed in and about every such mine, (including any extension thereof) in the same manner as if they were enacted in this Act.

(3.) If any person who is bound to observe the special rules established for any mine, acts in contravention of or fails to comply with any of them, he shall be guilty of an offence against this Act, and also the owner agent and manager of such mine shall each be guilty of an offence against this Act unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance.

Establishment of new special rules.

52. (1.) The owner agent or manager of every mine shall frame and transmit to the inspector of the district, for approval by a Secretary of State, special rules for the mine within three months after the commencement of this Act, or within three months after the commencement (if subsequent to the commencement of this Act) of any working for the purpose of opening a new mine or of renewing the working of an old mine.

(2) The proposed special rules, together with a printed notice specifying that any objection to the rules on the ground of anything contained therein or omitted therefrom may be sent by any of the persons employed in the mine to the inspector of the district, at his address, stated in the notice, shall, during not less than two weeks before the rules are transmitted to the inspector, be posted up in like manner as is provided in this Act respecting the publication of special rules for the information of persons employed in the mine, and a certificate that the rules and notice have been so posted up shall be sent to the inspector with two copies of the rules, signed by the person sending the same.

(3) If the rules are not objected to by the Secretary of State within forty days after their receipt by the inspector, they shall be established.

Secretary of State may object to special rules.

53. (1.) If the Secretary of State is of opinion that the proposed special rules so transmitted, or any of them, do not sufficiently provide for the prevention of dangerous accidents in the mine, or for the safety or convenience of the persons employed in or about the mine, or are unreasonable, he may, within forty days after the rules are received by the inspector, object to the rules, and propose to the owner agent or manager in writing any modifications in the rules by way either of omission alteration substitution or addition.

(2.) If the owner agent or manager does not, within twenty days after the modifications proposed by the Secretary of State are received by him, object in writing to them, the proposed special rules, with those modifications, shall be established.

(3.) If the owner agent or manager sends his objection in writing within the said twenty days to the Secretary of State, the matter

shall be referred to arbitration under this Act, and the date of the receipt of the objection by the Secretary of State shall be deemed to be the date of the reference, and the rules shall be established as settled by an award on arbitration.

Amendment of special rules.

54. (1.) After special rules are established under this Act in any mine, the owner agent or manager of the mine may from time to time propose in writing to the inspector of the district, for the approval of a Secretary of State, any amendment of the rules or any new special rules, and the provisions of this Act with respect to the original special rules shall apply to all such amendments and new rules in like manner, as nearly as may be, as they apply to the original rules.

(2.) A Secretary of State may from time to time propose in writing to the owner agent or manager of the mine any new special rules, or any amendment of the special rules, and the provisions of this Act with respect to a proposal of a Secretary of State for modifying the special rules transmitted by the owner agent or manager of a mine shall apply to all such new special rules and amendments in like manner, as nearly as may be, as they apply to the proposal.

False statements, and neglect to transmit special rules.

55. If the owner agent or manager of any mine makes any false statement with respect to the posting up of the rules and notices, he shall be guilty of an offence against this Act; and if special rules for any mine are not transmitted within the time limited by this Act to the inspector for the approval of a Secretary of State, the owner agent and manager of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by enforcing to the best of his power the provisions of this Act, to secure the transmission of the rules.

Certified copy of special rules to be evidence.

56. An inspector under this Act shall, when required, certify a copy which is shown to his satisfaction to be a true copy of any special rules which for the time being are established under this Act in any mine, and a copy so certified shall be evidence (but not to the exclusion of other proof) of such special rules and of the fact that they are duly established under this Act and have been signed by the inspector.

Publication of Abstract of Act and of Special Rules.

Publication of abstract of Act and copy of special rules.

57. For the purpose of making known the provisions of this Act and the special rules to all persons employed in and about each mine, an abstract of this Act supplied, on the application of the owner agent or manager of the mine, by the inspector of the district on behalf of a Secretary of State, and a correct copy of all the special rules shall be published as follows:

(1.) The owner agent or manager of the mine shall cause the abstract and copy of the rules, with the name of the mine and the name and address of the inspector of the district, and the name of the owner or agent and of the manager appended thereto, to be posted up in legible characters, in some conspicuous place at or near the mine, where they may be conveniently read by the persons employed; and so often as

the same become defaced obliterated or destroyed, shall cause them to be renewed with all reasonable despatch:

(2.) The owner agent or manager shall supply a printed copy of the abstract and the special rules gratis to each person employed in or about the mine who applies for a copy at the office at which the persons immediately employed by the owner, agent, or manager are paid:

(3.) Every copy of the special rules shall be kept distinct from any rules which depend only on the contract between the employer and employed.

In the event of any non-compliance with the provisions of this section by any person whomsoever, the owner agent and manager shall each be guilty of an offence against this Act; but the owner, agent, or manager of such mine shall not be deemed guilty if he proves that he had taken all reasonable means, by enforcing to the best of his power the observance of this section, to prevent such non-compliance.

Pulling down or defacing notices.

58. Every person who pulls down, injures, or defaces any abstract, notice, proposed special rules, or special rules when posted up in pursuance of the provisions of this Act, or any notice posted up in pursuance of the special rules, shall be guilty of an offence against this Act.

PART III.

SUPPLEMENTAL.

Legal Proceedings.

Penalty for offences against Act.

59. (1.) Every person employed in or about a mine, other than an owner agent or manager, who is guilty of any act or omission which in the case of an owner agent or manager would be an offence against this Act, shall be deemed to be guilty of an offence against this Act.

(2.) Every person who is guilty of an offence against this Act for which a penalty is not expressly prescribed, shall be liable to a fine not exceeding, if he is an owner agent or manager or undermanager twenty pounds, and if he is any other person, two pounds, for each offence; and if an inspector has given written notice of any such offence, to a further fine not exceeding one pound for every day after such notice that such offence continues to be committed.

Imprisonment for wilful neglect endangering life or limb.

60. Where a person who is an owner agent manager or undermanager of or a person employed in or about a mine is guilty of any offence against this Act which, in the opinion of the court that tries the case, is one which was reasonably calculated to endanger the safety of the persons employed in or about the mine, or to cause serious personal injury to any of such persons, or to cause a dangerous accident, and was committed wilfully by the personal act, personal default, or personal negligence of the person accused, such person shall be liable, if the court is of opinion that a fine will not meet the circumstances of the case, to imprisonment, with or without hard labour, for a period not exceeding three months.

Summary proceedings for offences, fines, &c.

61. (1.) All offences under this Act not declared to be misdemeanours, and all fines under this Act, and all money and costs by this Act directed to be recovered as fines, may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts before a court of summary jurisdiction.

(2.) Proceedings for the removal of a check weigher shall be deemed to be a matter on which a court of summary jurisdiction has authority by law to make an order in pursuance of the Summary Jurisdiction Acts; and summary orders under this Act may be made on complaint before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

General provisions as to summary proceedings.

62. In every part of the United Kingdom the following provisions shall have effect:

(i.) Any complaint or information made or laid in pursuance of this Act shall (save as otherwise expressly provided by this Act) be made or laid within three months from the time when the matter of the complaint or information arose:

(ii.) Any person charged with any offence under this Act, may, if he thinks fit, be sworn and examined as an ordinary witness in the case:

(iii.) The court shall, if required by either party, cause minutes of the evidence to be taken and preserved.

Appeal to quarter sessions.

63. If any person feels aggrieved by any conviction made by a court of summary jurisdiction on determining any information under this Act, by which conviction imprisonment or a fine amounting to or exceeding one half the maximum fine, is adjudged, he may appeal therefrom to a court of quarter sessions in manner provided by the Summary Jurisdiction Acts.

Liability for misrepresentation as to age, &c.

64. If it appears that a boy or girl was employed on the representation of his or her parent or guardian that he or she was of the age at which his or her employment would not be in contravention of this Act, and under the belief in good faith that he or she was of that age, or that a person has worked alone as a coal or ironstone getter on his representation that he has had two years' experience of such work under the supervision of skilled workmen, or that he has been previously employed for two years in or about the face of the workings of a mine, and under the belief in good faith that he has had such experience or has been so previously employed, the owner agent or manager of the mine and employer shall be exempted from any penalty, and the parent or guardian or the person who has so worked alone, as the case may be, shall, for the misrepresentation, be deemed guilty of an offence against this Act.

Prosecution of owners agents managers, &c.

65. No prosecution shall be instituted against the owner agent manager or under-manager of a mine for any offence under this Act, not committed personally by such owner agent manager or under-manager, which can be prosecuted before a court of summary jurisdiction, except by an inspector or with the consent in writing of a Secretary of State; and in the case of any offence of which the owner agent manager or under-manager of a mine is not guilty if he proves that he had taken all reasonable means

to prevent the commission thereof, an inspector shall not institute any prosecution against such owner agent manager or under-manager, if satisfied that he had taken such reasonable means as aforesaid. No prosecution shall be instituted against a coroner for any offence under this Act except with the consent in writing of a Secretary of State.

Report of result of proceedings against workmen.

66. Where the owner agent or manager of a mine has taken proceedings under this Act against any person employed in or about a mine in respect of an offence committed under this Act, he shall, within twenty-one days after the hearing of the case, report the result thereof to the inspector of the district.

Summary proceedings for offences in Scotland.

67. In Scotland the following provisions shall have effect:

(1.) The court of summary jurisdiction when hearing and determining an information or complaint shall be the sheriff:

(2.) All jurisdictions powers and authorities necessary for the court of summary jurisdiction under this Act are hereby conferred on that court:

(3.) Every person found liable under this Act by a court of summary jurisdiction in any fine, or to pay any money or costs by this Act directed to be recovered as fines, shall be liable in default of immediate payment to be imprisoned for a term not exceeding three months, and the conviction and warrant may be in the form of No. 3 of Schedule K. of the Summary Procedure Act, 1864:

27 & 28 Vict. c. 53.

(4.) Any fine exceeding fifty pounds shall be recovered and enforced in the same manner in which any penalty due to Her Majesty under any Act of Parliament may be recovered and enforced:

(5.) An appeal shall not lie from any conviction made by a sheriff, save to the next circuit court, or where there are no circuit courts, to the High Court of Justiciary at Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, chapter forty-three, and any Acts amending the same, as relate to appeals in matters criminal, and by and under the rules limitations conditions and restrictions contained in the said provisions.

Saving for proceedings under other Acts.

68. (1.) Nothing in this Act shall prevent any person from being indicted or liable under any other Act or otherwise to any other or higher penalty or punishment than is provided for any offence by this Act, so, however, that no person be punished twice for the same offence.

(2.) If the court before whom a person is charged with an offence under this Act think that proceedings ought to be taken against such person for such offence under any other Act or otherwise, the court may adjourn the case to enable such proceedings to be taken.

Owner of mine, &c. not to act as justice, &c. in proceedings under this Act.

69. A person who is the owner agent or manager of any mine, or a miner or miner's agent, or the father son or brother, or father-in-law, son-in-law, or brother-in-law, of such owner agent or manager, or of a miner or miner's agent, or who is a director of

a company being the owner of a mine, shall not, except with the consent of both parties to the case, act as a court or member of a court of summary jurisdiction in respect of any offence under this Act.

Application of fines.

70. Where a fine is imposed under this Act for neglecting to send a notice of any explosion or accident or for any offence against this Act which has occasioned loss of life or personal injury, a Secretary of State may (if he thinks fit) direct such fine to be paid to or distributed among the persons injured, and the relatives of any persons whose death may have been occasioned by the explosion accident or offence, or among some of them.

Provided that—

(i.) Such persons did not in his opinion occasion or contribute to occasion the explosion or accident, and did not commit and were not parties to committing the offence:

(ii.) The fact of the payment or distribution shall not in any way affect or be receivable as evidence in any legal proceeding relative to or consequential on the explosion, accident, or offence.

Save as aforesaid—

All fines recovered in England or Scotland under this Act shall be paid into the receipt of Her Majesty's Exchequer, and shall be carried to the Consolidated Fund;

All fines recovered in Ireland under this Act shall be applied in manner directed by the Fines Act (Ireland), 1851, and any Act amending the same. 14 & 15 Vict. c. 90.

Miscellaneous.

Decision of question whether a mine is under this Act.

71. If any question arises (otherwise than in legal proceedings) whether a mine is a mine to which this Act or the Metalliferous Mines Regulation Act, 1872, or any other Act for the time being in force and relating to metalliferous mines applies, the question shall be referred to a Secretary of State, whose decision thereon shall be final.

Powers of Secretary of State as to making and revoking orders.

72. Any order of or exemption granted by a Secretary of State under this Act may be made, and from time to time revoked, or altered by a Secretary of State, either unconditionally or subject to such conditions as he may see fit, and shall be signed by a Secretary of State or under secretary or assistant under secretary.

Service of notices.

73. All notices under this Act shall (unless expressly required to be in print) be in either writing or print, (including lithograph), or partly in writing and partly in print, (including lithograph), and all notices and documents required by this Act to be served or sent by or to an inspector may be either delivered personally, or served and sent by post by a prepaid letter; and, if served or sent by post, shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post.

Application of 38 & 39 Vict. c. 55. s. 38.

74. Section thirty-eight of the Public Health Act, 1875 (which relates to privy accommodation for any house used as a factory or building in which both sexes are employed), shall apply to the portions of a mine which are above ground, and in which girls and women are employed, in like manner as if it were herein re-enacted with the substitution of "those portions of the mine" for the house in the said section mentioned.

Interpretation of terms.

75. In this Act, unless the context otherwise requires,—

"Mine" includes every shaft in the course of being sunk, and every level and inclined plane in the course of being driven, and all the shafts, levels, planes, works, tramways, and sidings, both below ground and above ground, in and adjacent to and belonging to the mine:

"Shaft" includes pit:

"Plan" includes a correct copy or tracing of any original plan:

"Owner," when used in relation to any mine, means any person or body corporate who is the immediate proprietor or lessee, or occupier of any mine, or of any part thereof, and does not include a person or body corporate who merely receives a royalty, rent, or fine from a mine, or is merely the proprietor of a mine subject to any lease, grant, or license for the working thereof, or is merely the owner of the soil, and not interested in the minerals of the mine; but any contractor for the working of any mine, or any part thereof, shall be subject to this Act in like manner as if he were an owner, but so as not to exempt the owner from any liability:

"Agent," when used in relation to any mine, means any person appointed as the representative of the owner in respect of any mine, or of any part thereof, and as such superior to a manager appointed in pursuance of this Act:

"Secretary of State" means one of Her Majesty's Principal Secretaries of State:

"The Treasury" means the Commissioners of Her Majesty's Treasury:

"Boy" means a male under the age of sixteen years:

"Girl" means a female under the age of sixteen years

"Woman" means a female of the age of sixteen years or upwards.

Application of Act to Scotland.

76. In the application of this Act to Scotland—

(1.) The term "Attorney General" means the Lord Advocate:

(2.) The term "injunction" means interdict:

(3.) The term "misdemeanour" means "crime and offence":

(4.) The term "chairman of quarter sessions" means the sheriff of the county:

(5.) The term "sheriff" includes sheriff substitute:

(6.) The term "attending on subpœna before a court of record" means attending on citation the Court of Justiciary:

(7.) The auditor of the sheriff court of the county or district of a county in which any inquiry takes place shall perform the duties of a master of one of the superior courts under this Act:

(8.) "County court judge, police magistrate, stipendiary magistrate, recorder, or registrar of a county court" means a sheriff or sheriff substitute:

(9.) Notices of explosions, accidents, loss of life, or personal injury shall be deemed to be sent to the inspector of the district on behalf of the Lord Advocate:

(10.) Sections forty-one and sixteen of the Public Health (Scotland) Act, 1867, shall respectively be substituted for sections thirty-eight and ninety-one of the Public Health Act, 1875: 30 & 31 Vict. c. 100.

(11.) The term "public elementary school" means State-aided school.

Nothing in this Act shall affect any provision in the Education (Scotland) Acts, 1872 to 1883.

Application of Act to Ireland.

77. In the application of this Act to Ireland,—

(*a.*) The expression "the Summary Jurisdiction Acts" means, as regards the Dublin metropolitan police district, the Acts regulating the powers and duties of justices of the peace and of the police of that district, and elsewhere, in Ireland, the Petty Sessions (Ireland) Act, 1851, and the Acts amending the same:

(*b.*) In hearing and determining a charge under this Act, a court of summary jurisdiction elsewhere than in the Dublin metropolitan police district, shall be constituted of two or more justices of the peace or of a resident magistrate, with or without other justices, sitting in petty sessions; and a resident magistrate means a magistrate appointed pursuant to the Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter fourteen:

(*c.*) Sections forty-eight and one hundred and seven of the Public Health (Ireland) Act, 1878, shall respectively be substituted for sections thirty-eight and ninety-one of the Public Health Act, 1875: 41 & 42 Vict. c. 52.

(*d.*) The expression "police or stipendiary magistrate" means resident magistrate:

"Master of one of Her Majesty's Superior Courts" means a taxing master of the High Court of Justice in Ireland:

"Registrar of a county court" means clerk of the peace:

"London Gazette" means Dublin Gazette:

"Attorney-General" means Attorney-General for Ireland:

"Chairman of quarter sessions" means county court judge.

Transitory Provisions and Repeal.

Existing inspectors and examining boards continued.

78. The persons who at the commencement of this Act are acting as inspectors under the Acts hereby repealed, and the boards for appointing examiners for managers' certificates under those Acts, shall continue to act in the same manner, and generally to be in the same position, as if they had been respectively appointed under this Act.

Existing certificates and

79. All orders made by a Secretary of State under any Act repealed by this Act, which are in force immediately before the

registers continued.

commencement of this Act, shall be deemed to have been made under this Act; and all certificates of competency or of service granted under any Act repealed by this Act which are in force immediately before the commencement of this Act, shall be deemed to be first class certificates granted under this Act; and the register of holders of certificates, and the other registers which at the commencement of this Act are kept in pursuance of the Acts hereby repealed, shall be deemed to be registers or parts of registers kept in pursuance of this Act.

Grant of certificates of service in case of certain under-managers.

80. (1.) A certificate of service shall be granted by a Secretary of State to every person who satisfies him either that before the passing of this Act he was exercising, and has since that date exercised, or that he has at any time within five years before the passing of this Act for a period of not less than twelve months exercised, functions substantially corresponding to those of an under-manager in a mine.

(2.) Every such certificate of service shall contain particulars of the name, place, and time of birth, and the length and nature of the previous service of the person to whom the same is delivered, and a certificate of service may be refused to any person who fails to give a full and satisfactory account of the particulars aforesaid, or to pay such registration fee as the Secretary of State may direct, not exceeding that mentioned in the Second Schedule to this Act.

(3.) A certificate of service granted under this section shall have the same effect for the purposes of this Act as a second class certificate of competency granted under this Act.

Existing special rules continued.

81. The special rules which at the commencement of this Act are in force under any Act hereby repealed in any mine shall continue to be the special rules in such mine until special rules are established under this Act for such mine, and while they so continue shall be of the same force as if they were established under this Act.

Temporary saving for employment of boys and girls between ten and twelve.

82. The provisions of this Act shall not—

(*a.*) Prevent a boy under the age of twelve years who, before the commencement of this Act, is lawfully employed in any mine below ground from continuing to be employed in a mine; nor

(*b.*) Prevent a boy or girl who, before the commencement of this Act, is lawfully employed above ground in connexion with any mine from continuing to be employed above ground in connexion with a mine; nor

(*c.*) Prevent a competent male person above the age of eighteen years who before the commencement of this Act is lawfully employed in working the machinery used for lowering and raising persons in a mine from continuing to be so employed;

in like manner and subject to the same provisions and regulations as before the commencement of this Act, and the provisions of the Acts repealed by this Act, with respect to the employment of such boy or girl or competent male person shall continue to apply accordingly.

83. Any enactment or document referring to any Act repealed by this Act, or to any enactment thereof, shall be construed to refer to this Act, and to the corresponding enactments thereof. Construction of references to repealed Acts.

84. The Acts described in Schedule Four to this Act are hereby repealed. Repeal of Acts.

Provided that this repeal shall not affect any exemption granted, or other thing done or suffered before the commencement of this Act; and all offences committed and penalties incurred and proceedings commenced before the commencement of this Act may be punished recovered continued and completed in the same manner as if this Act had not passed.

SCHEDULES.

SCHEDULE ONE.

Section 24.

PROCEEDINGS of BOARD for EXAMINATIONS.

1. The board shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning notice place management and adjournment of such meetings, and generally with respect to the transaction and management of business, including the quorum at meetings of the board, as they think fit, subject to the following conditions:—

(*a.*) Any regulations made by the board constituted under the Acts repealed by this Act, and in force at the commencement of this Act, shall continue in force till repealed or altered by the board;

(*b.*) An extraordinary meeting may be held at any time on the written requisition of three members of the board addressed to the chairman;

(*c.*) The quorum to be fixed by the board shall consist of not less than three members;

(*d.*) Every question shall be decided by a majority of votes of the members present and voting on that question;

(*e.*) The names of the members present, as well as those voting upon each question, shall be recorded;

(*f.*) No business shall be transacted unless notice in writing of such business has been sent to every member of the board seven days at least before the meeting.

2. The board shall from time to time appoint some person to be chairman, and one other person to be vice-chairman.

3. If at any meeting the chairman is not present at the time appointed for holding the same, the vice-chairman shall be the chairman of the meeting, and if neither the chairman nor vice-chairman shall be present, then the members present shall choose some one of their number to be chairman of such meeting.

4. In case of an equality of votes at any meeting, the chairman for the time being of such meeting shall have a second or casting vote.

5. The appointment of an examiner may be made by a minute of the board signed by the chairman.

6. The board shall keep minutes of their proceedings, which may be inspected or copied by a Secretary of State, or any person authorised by him to inspect or copy the same.

Sections 25 and 30.

SCHEDULE TWO.

TABLE of MAXIMUM FEES to be paid in respect of CERTIFICATES.

First Class Certificate.

By an applicant for examination -	- Two pounds.
For copy of certificate - -	- Five shillings.

Second Class Certificate.

By an applicant for examination -	- One pound.
For copy of certificate - -	- Two shillings and sixpence.

SCHEDULE THREE.

Section 33.

Coal Mines Regulation Act, 1887, 50 & 51 Vict. c. 58.

FORM OF RETURN.

This Form to be correctly filled up by the Owner, Agent, or Manager, and sent to the Inspector of the District, on behalf of the Secretary of State, on or before 21 *January, every year.*

PART A.

Year ending 31 December 18 .

Name of Mine _____

Situation of Mine _____

County _____

Name of Owner (Company) _____

Name of Manager _____

Name of Under-Manager _____

Postal Address _____

RETURN of PERSONS ordinarily employed during the Year:—

Under ground - -	Boys of 12 and under 16 - - -	
	Males above 16 - - - -	
	Total under ground -	
Above ground (including those employed on sidings and private branch railways and tramways, and in cleaning, washing, and coking of coal).	Boys of 12 and under 13 - - -	
	Girls do. - - -	
	Boys of 13 and under 16 - - -	
	Girls do. - - -	
	Females above 16 - - - -	
	Males do. - - - -	
	Total above ground -	
	Total number of persons employed under ground and above ground -	

QUANTITY of MINERAL wrought during the Year.

Mineral Wrought.	Number of Statute Tons Wrought.
Coal	.....
Fireclay	.....
Ironstone.....	.....
Shale—Oil Shale	.....
Do. used for other purposes	.....
Copperas Lumps, or Iron Pyrites	.....
Other Minerals, viz. :—	
_____	_____
_____	_____

The NUMBER of DAYS in each MONTH on which COAL or IRONSTONE has been drawn.

	Number of Days on which was drawn	
	1. Coal.	2. Ironstone.
January - - - -		
February - - - -		
March - - - -		
April - - - -		
May - - - - -		
June - - - - -		
July - - - - -		
August - - - -		
September - - - -		
October - - - -		
November - - - -		
December - - - -		

day of 18 .

(Signed)_____.

PART B.

Name of the Mine _____

Name of Seam.	Mode of Ventilation, with Description.	Diameter and Depth of downcast and upcast Shafts.				Number of Splits and Quantity.		Airways.		Average Total Quantity of fresh Air per minute.
		Downcast.		Upcast.				Length of Splits.	Sectional Area.	
		Diameter in feet.	Depth in feet.	Diameter in feet.	Depth in feet.	Splits.	Quantity in cubic feet per minute.	Yards.	Square Feet.	Cubic Feet.

SCHEDULE FOUR.

REPEAL.

Section 84.

Date of Act.	Title of Act.	Extent of Repeal.
35 & 36 Vict. c. 76. [1872.]	The Coal Mines Regulation Act, 1872.	The whole Act.
44 & 45 Vict. c. 26. [1881.]	The Stratified Ironstone Mines (Gunpowder) Act, 1881.	The whole Act.
49 & 50 Vict. c. 40. [1886.]	The Coal Mines Act, 1886	The whole Act.

CHAPTER 59.

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary.

[16th September 1887.]

WHEREAS with a view to the revision of the Statute Law, and particularly to the improvement of the Revised Edition of the Statutes, it is expedient that certain enactments, mentioned in the schedule to this Act, which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal by Parliament, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications in the schedule mentioned:

Saving.

Provided that where any enactment not comprised in the schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act:

and the repeal by this Act of any enactment or schedule shall not affect any enactment in which such enactment or schedule has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right, title, obligation, or liability already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand,—or any indemnity, —or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or the general or public nature of any statute, or any existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, emolument, or benefit, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, procedure, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's Dominions out of the United Kingdom.

Short title.

2. This Act may be cited as the Statute Law Revision Act, 1887.

SCHEDULE.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee, in all cases of statutes included in that edition; and as referring, in the case of all Acts not so included and passed before the reign of George the First, to the edition prepared under the direction of the Record Commission.

The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts given in those editions.

The repeal by the present Act of a part of a statute set out or referred to in terms of the translation given in that edition is to operate on the original Latin or Norman-French, of which the translation is set out or referred to, as if the original itself were in like manner set out or referred to.

A description or citation of a portion of an Act is inclusive of the words, section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end, of the portion comprised in the description or citation.

Enactments which have been already repealed are, in a few instances, included in this schedule, in order to avoid the necessity of reference to previous statutes.

3 Edw. 1. c. 6. -	Amerciaments shall be reasonable - - - in part; namely,— The words "city, borough, nor town nor any."
c. 31. -	Excessive Toll in Market town. Murage - - in part; namely,— From "touching citizens" to "the King."
c. 34. -	Of slanderous reports.
12 Edw. 1. cc. 1–14	Statuta Wallie (the Statutes of Wales).
13 Edw. 1. (*Stat. Westm. Sec.*) c. 1.	Several sorts of gifts of lands upon condition. In such gifts the donor's will shall be observed } in part; namely,— Writs of formedon in descender - - - from "And forasmuch as" to "Chancery."
25 Edw. 1. (*Magna Carta.*)	
c. 32.	Alienation.
25 Edw. 1. (*Confirmatio Chartarum.*)	
c. 3.	The charters shall be read in the Cathedrals.
c. 4.	The breakers of the charters shall be excommunicated.

25 Edw. 1. (*Stat. de Tallag.*) c. 5.	Pardon granted to certain offenders.
,, c. 6.	Excommunication shall be pronounced against the breakers of this charter.
27 Edw. 1. (*Ordin. de Lib. Perq.*).	An Ordinance of purchasing Liberties.
Stat. temp. incert.)*Stat. de Consp.*) -	Statute concerning Conspirators - - - in part; namely,— From "Our Lord the King" to end of statute.
(*Modus fac. hom. et fid.*)	The manner of doing homage and fealty.
Juramentum Majorum et Ballivorum.	The oath of Mayors and Bailiffs.
5 Edw. 3. c. 8. -	Of the custody of prisoners by Marshalls of King's Bench and Bail. The penalty for letting prisoners go at large, or escape.
18 Edw. 3. Stat. 2.	Grant to the King of two-fifteenths and two-tenths, by the Commons - - - } in part; namely,— From the beginning of the statute to "defence of the North."
18 Edw. 3. Stat. 3. c. 1.	Grant to the King by the Clergy - - - in part; namely,— From the beginning of the chapter to "Saint John Baptist."
25 Edw. 3. Stat. 6. c. 9.	Indictments of Ordinaries for extortion must be certain.
28 Edw. 3. c. 2. -	Lords of Marches of Wales annexed to Crown.
2 Ric. 2. c. 5. -	The penalty for telling slanderous lyes of the great men of the realm.
12 Ric. 2. c. 11. -	Reporters of lies against peers, &c. shall be punished by the Council.
1 Hen. 4. c. 6. -	In petitions to the King for lands, offices, &c., the value thereof shall be mentioned.
2 Hen. 4. c. 2. -	Recital of the Statute 1 Hen. 4. c. 6. respecting grants of the King. Exposition thereof as to mention of former grants of the King, &c.
,, c. 4. -	All persons purchasing bulls to be discharged of tithes shall incur the penalties of 13 Ric. 2. St. 2. cc. 2, 3.
6 Hen. 4. c. 2. -	The Statute 1 Hen. 4. c. 6. respecting petitions to the King for lands, &c. shall not extend to the Queen nor the princes.
7 Hen. 4. c. 6. -	The penalty for purchasing bulls to be discharged of tithes as under the Statute 2 Hen. 4. c. 4.
1 Edw. 4. c. 2. -	Unlawful Indictments in Sheriffs' Tourns found by mean persons, &c.
11 Hen. 7. c. 15. -	An Acte agaynst Shreife and Under-Shreiffe.
19 Hen. 7. c. 7. -	De privatis et illicitis statutis non faciend - - in part; namely,— Section three.
22 Hen. 8. c. 4. -	An Acte concernyng the avoydyng of Exaccyons levyed upon Prentyses.
27 Hen. 8. c. 5. -	An Acte for makyng of Justice of peace in Wales.
,, c. 20. -	An Acte conteynyng an Order for Tithes thorowe the Realme. Except as to tithes, offerings, and duties which have not been commuted, or are otherwise still payable.
,, c. 26 -	An Acte for Lawes and Justice to be ministred in Wales in like fourme as it is in this Realme } in part; namely,— Sections two from "and beyng noo parcele" to "reformacion "whereof," three from beginning of section to "into every "shire of this Realme of Englond," and from "and that the "Shereff of the" to "do within this Realme of England," and from "and that Shireffe and Eschetours" to end of section, eight from beginning of section to "and that the Shireffes "Eschetours and other officers accomptauntes of the Counties "of Mountgomery and Denbigh, frome and after the said

27 Hen. 8. c. 26. —*cont.*	"feaste of All Seintes, shall yerely make their accomptes, "before the Kinges Auditours and suche Chambreleyn or "Baron of the said Eschequier as shalbe thereunto appoynted "by our said Sovaigne Lorde the Kinge, in such like man "and fourme as Shireffes Eschetours and other Officers "accomptauntes do yerely make thir accomptes in the Kinges "Eschequier at Westmÿster within this Realme of England: "And that" and from "and according to such other Customes" to "Lorde the Kinge," eighteen to twenty-one, twenty-two from "And that the same Knyghtes" to "the said Shire of "Monimouth" and from "and for evy Borough" to "one "Burgeis," and from "And that the Knyghtes and Burgeis" to end of section, twenty-three to thirty-two.
28 Hen. 8. c. 5. -	An Acte for avoydyng of exaccyons taken upon Prentesis in the Cyties Boroughes and Townes corpatt - - - - - - in part; namely,— Section one from "nor by any" to "Henry the Eighth."
32 Hen. 8. c. 2. -	Lymitacon of Prescription.
,, c. 7. -	Payment of tithes and offringe. Except as to tithes, offerings, and duties which have not been commuted or are otherwise still payable, and except section five.
33 Hen. 8. c. 13. -	An Acte concerninge dten Lordshippes tnslated from the Countie of Denbigh to the countye of Flyntshire - - - - - - in part; namely,— Preamble, and sections one and two.
34 & 35 Hen. 8. c. 26.	An Acte for certaine Ordinaunces in the Kinges Majesties Domynion and Principalitie of Wales - - - - - - in part; namely,— Sections three to eight, eleven to twenty, twenty-one from beginning of section to "Counsaill and Justices," and from "Item that the said Justices of Peax Justices of Quorum" to "use to make"; and from "Item that no Justices of the Peax "Clerke of the Peax" to end of section; twenty-two from "And for the yerelie" to "Auditoures assigned for Wales," and from "saide President" to "and allso of the," and from "Item that the saide Sheriefe shall yerelie" to end of section, twenty-three, twenty-four, twenty-five from "Provided allwaies" to end of section, twenty-six to thirty-two, thirty-three to "growne to the contrarye there of notwithstanding"; thirty-four, thirty-five, thirty-nine from "upon certificat" to "knowledged," and the words "out of the Chauncerye of "Englande," and from "Provided allwaies" to end of section, forty to forty-six, forty-seven, the words "the saide President "and Counsaile or," forty-eight, forty-nine, fifty from "fynes "for" to end of section, fifty-one, fifty-two, the words "Fellones goodes and," fifty-three to fifty-five, fifty-nine, sixty, sixty-one from "and that the Kinges High Justice" to "had "made and provyded" and from "and that the judiciall Seall" to "anye of the saide Shyres of Pembroke Carmerden and "Cardigan," sixty-two to sixty-five.
37 Hen. 8. c. 1. -	An Acte for the offyces of the Custos Rotulo - in part; namely,— Sections two, three, and four from "that the Archebisshoppe" to "successors and."
1 Edw. 6. c. 10. -	An Acte for exigents and proclamacons in Wales, and in the Countie Palentyne of Chestre, and also in the City of Chester - - - - in part; namely,— So much as relates to outlawry, except outlawry in criminal proceedings.
,, c. 12. -	An Acte for the repeale of certaine Statutes concerninge treasons, felonyes, &c - - - in part; namely,— Preamble and section two.

2 & 3 Edw. 6. c. 13.	An Acte for the true payment of tithes. Except as to tithes, offerings, and duties which have not been commuted or are otherwise still payable.
„ c. 21.	An Acte to take awaye all posityve Lawes againste Marriage of Priestes - - - } in part; namely,— Section three.
5 & 6 Edw. 6. c. 12.	An Acte for the declaracõn of a Statute made for the Marriage of Prieste and for the legittimacõn of their children - - - } in part; namely,— Section four.
„ c. 26.	An Act for Writtes uppon ꝑclamacõns and exigents to be currant within the Countye Palantyne of Lancaster - - - } in part; namely,— So much as relates to outlawry, except outlawry in criminal proceedings.
1 & 2 Phil. & Mar. c. 15.	An Act to confirm the Lyberties of the Lordes Marchers in Wales.
2 & 3 Phil. & Mar. c. 18.	An Acte touching Comissions of the Peace and Gaole ꝺelyverye in townes corporate, not being counties in themselfes.
5 Eliz. c. 9. -	An Act for the Punyshement of suche persones as shall procure or cõmit any wyllfull perjurye } in part; namely,— Section seven, from "geven by Acte of ꝑliament" to "in the "northe nor."
27 Eliz. c. 9. -	An Act for Reformacion of Errors in Fynes and recoveries in the xij shieries of Wales, Towne and Countie of Haverforde West with the Counties Palentine.
31 Eliz. c. 9. -	An Acte for Writtes upon ꝑclamacõns and Exigente to be currant within the Countye Pallantyne of Durham - - - } in part; namely,— So much as relates to outlawry, except outlawry in criminal proceedings.
21 Ja. 1. c. 10. -	An Acte of repeale of one Braunch of a Statute made in the xxxiiijth yere of King Henry the Eight.
16 Cha. 1. c. 11. -	An Act for repeal of a branch of a Statute primo Elizabethe concerning Commissioners for causes Ecclesiasticall - - - } in part; namely,— Preamble and section one.
13 Cha. 2. c. 4. -	An Act for a free and voluntary ꝑsent to his Majesty - - - - - } in part; namely,— Except section five.
14 Cha. 2. c. 12.*	An Act for the better Releife of the Poore of this Kingdom - - - - - } in part; namely,— Sections three and twenty.
16 Cha. 2. c. 1. -	An Act for the assembling and holding Parliaments once in three years at the least, And for the repeale of an Act entituled An Act for the preventing of inconveniencies happening by the long Intermission of Parliaments.
25 Cha. 2. c. 9. -	An Act to enable the County Palatine of Durham to send Knights and Burgesses to serve in Parlyament.
3 Will. & Mar. c. 11.	An Act for the better explanation and supplying the defecte of the former Laws for the Settlement of the Poor - - - - } in part; namely,— Section eleven.

* 13 & 14. *Ruff.*

5 Will. & Mar. c. 4.	An Act to repeal a Clause in the Statute made in the foure and thirtieth and five and thirtieth years of King Henry the Eighth, by which Justices of Peace in Wales are limited to Eight in each County - - - - in part; namely,— From the beginning of the Act down to "intents and purposes, and that".
7 & 8 Will. 3. c. 6.	An Act for the more easie Recoverie of Small Tythes. Except as to tithes, offerings, and compositions which have not been commuted, or are otherwise still payable.
8 & 9 Will. 3. c. 27.	An Act for the more effectual Relief of Creditors in Cases of Escapes, and for preventing Abuses in Prisons and pretended priviledged Places - in part; namely,— Section two and section seventeen from the beginning to "provided against."
11 Will. 3. c. 16. -	An Act for the better ascertaining the Tythes of Hemp and Flax.
1 Ann. Stat. 2. c. 6.	An Act for the better preventing Escapes out of the Queen's Bench and Fleet Prisons - - in part; namely,— Section five from the beginning down to "provided against".
,, c.21.*	An Act the title of which begins with the words "An Act for enlarging the Time," and ends with the words "secret Abettors" - - in part; namely,— The title from "for enlarging" to "appointed and," and from "and for extinguishing" to end of title.
6 Ann. c. 12.† -	An Act for rendring more effectual an Act passed in the first year of Her Majestie's Reign, intituled "An Act for the better preventing Escapes out of the Queen's Bench and Fleet Prisons" - - - - in part; namely,— Section six.
,, c. 24. -	An Act for discharging small livings from their First Fruits and Tenths and all arrears thereof in part; namely,— Section six.
,, c. 54.‡ -	An Act the title of which begins with the words "An Act to inlarge," and ends with the words "First Fruits" - - - - - - in part; namely,— Sections two, three, four.
,, c. 68.§ -	An Act for repealing the Act of the first year of King James the First, intituled "An Act for the well garbling of Spices, and for granting an Equivalent to the City of London by admitting Brokers" - - - - in part; namely,— The title from "and for granting" to end of title, and section four.
7 Ann. c. 12. -	An Act for preserving the privileges of Ambassadors and other Publick Ministers of Foreign Princes and States - - - - in part; namely,— Section seven to "pleading and."
,, c. 20. -	An Act the title of which begins with the words "An Act for the" and ends with the words "and nine" - - - - - - in part; namely,— Section twenty-one.
,, c. 30.‖ -	An Act for enlarging the capital stock of the Bank of England, and for raising a further supply to Her Majesty for the Service of the year one thousand seven hundred and nine - in part; namely,— The title from "and for raising" to end of title, and section seventy-five.

* Chapter XVII. in common printed editions.
† Chapter IX., 5 & 6 Ann., in common printed editions.
‡ Chapter XXVII., 6 Ann., in common printed editions.
§ Chapter XVI., 6 Ann., in common printed editions.
‖ Chapter VII. in common printed editions.

9 Ann. c. 6. -	An Act the title of which begins with the words "An Act for reviving," and ends with the words "Insurance Offices as are therein mentioned" - - - - - - } in part; namely,— The title from "for reviving" to "eleven and," and the words "and such Insurance Offices,"
10 Ann. c. 28.* -	An Act the title of which begins with the words "An Act to give," and ends with the words "more easie" - - - - - - } in part; namely,— The title from "to give" to "limited and."
13 Ann. c. 6.† -	An Act the title of which begins with the words "An Act for taking away Mortuaries," and ends with the words "Catherine Hall in Cambridge" - - - - - - } in part; namely,— The title from "and for confirming" to end of title. Section one from "the said proviso" to "repealed annulled and void and."
,, c. 13.‡ -	An Act the title of which begins with the words "An Act for rendering more effectual," and ends with the words "Growth of Popery" - } in part; namely,— The title from "And for vesting" to end of title.
1 Geo. 1. Stat. 2. c. 6.	An Act the title of which begins with the words "An Act for making," and ends with the words "Oath of Abjuration" - - - } in part; namely,— The title from "and for appointing" to end of title.
,, Stat. 2. c. 48.	An Act to encourage the planting of Timber Trees, Fruit Trees, and other Trees, for Ornament, Shelter, or Profit; and for the better Preservation of the same; and for the preventing the burning of Woods.
3 Geo. 1. c. 8. -	An Act the title of which begins with the words "An Act for redeeming," and ends with the words "in this Act mentioned" - - } in part; namely,— The title from "and for securing" to "the Rate of Five Pounds per Centum."
4 Geo. 1. c. 11. -	An Act for the further preventing Robbery, Burglary, and other Felonies; and for the more effectual Transportation of Felons, and unlawful Exporters of Wooll; and for declaring the Law upon some Points relating to Pirates - - - - - - } in part; namely,— The title from "for the further" to "Wooll and."
6 Geo. 1. c. 11. -	An Act the title of which begins with the words "An Act for laying a Duty," and ends with the words "one thousand seven hundred and sixteen" - - - - - } in part; namely,— The title from "and for applying" to end of title.
,, c. 16. -	An Act the title of which begins with the words "An Act to explain," and ends with the words "of such woods."
7 Geo. 1. c. 27. -	An Act the title of which begins with the words "An Act for raising," and ends with the words "East India Company" - - } in part; namely,— The title from "and for borrowing" to end of title.
8 Geo. 1. c. 2. -	An Act the title of which begins with the words "An Act for continuing," and ends with the words "the Exchequer" - - - } in part; namely,— The title from "for continuing" to "certificates and," and from "and for enlarging" to end of title.

* Chapter XVIII. in common printed editions.
† Chapter VI., 12 Ann. Stat. 2., in common printed editions.
‡ Chapter XIV., 12 Ann. Stat. 2., in common printed editions.

8 Geo. 1. c. 21. -	An Act the title of which begins with the words "An Act to enable," and ends with the words "therein mentioned."
9 Geo. 1. c. 7. -	An Act for amending the Laws relating to the Settlement, Employment, and Relief of the Poor - - - - - - in part; namely,— Preamble; sections one, two, four.
,, c. 19. -	An Act the title of which begins with the words "An Act to continue" and ends with the words "twenty-three" - - - in part; namely,— The title from "to continue" to "Widdrington and;" and from "and for ascertaining" to "Mercy;" and from "and for appropriating" to end of title.
11 Geo. 1. c. 4. -	An Act the title of which begins with the words "An Act for preventing" and ends with the words "afterwards made."
,, c. 9. -	An Act the title of which begins with the words "An Act for continuing" and ends with the words "Bank Bills or Notes" - - - in part; namely,— The title from "and for preventing" to end of title.
,, c. 30. -	An Act the title of which begins with the words "An Act for more effectual" and ends with the words "Policies of Insurance" - - in part; namely,— The title from "for preventing" to end of title.
1 Geo. 2. c. 5. -	An Act the title of which begins with the words "An Act for making" and ends with the words "of Parliament" - - - in part; namely,— The title from "for making" to "such offices, and" and from "and for continuing" to end of title.
,, c. 8. -	An Act the title of which begins with the words "An Act for granting" and ends with the words "Civil List Revenues" - - in part; namely,— The title from "and for further" to end of title.
2 Geo. 2. c. 25. -	An Act for the more effectual preventing and further punishment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money - - in part; namely,— The title from "and to make" to end of title.
,, c. 28. -	An Act the title of which begins with the words "An Act to revive" and ends with the words "and Alehouses" - - - - in part; namely,— The title from "to revive" to "formâ pauperis," and from "for licensing" to end of title.
3 Geo. 2. c. 14. -	An Act the title of which begins with the words "An Act for reducing" and ends with the words "therein mentioned."
5 Geo. 2. c. 7. -	An Act for the more Easy Recovery of Debts in His Majesty's Plantations and Colonies in America.
6 Geo. 2. c. 35. -	An Act the title of which begins with the words "An Act for appointing" and ends with the words "said Corporation" - - - in part; namely,— The title from "for appointing" to "sufferers and" and from "and for impowering" to end of title. Section thirty-two from "And be it" to "notice and."
8 Geo. 2. c. 13. -	An Act for the Encouragement of the Arts of Designing, Engraving, and Etching Historical and other Prints, by vesting the Properties thereof in the Inventors and Engravers during the Time therein mentioned - - - in part; namely,— Section six.

9 Geo. 2. c. 5. -	An Act, the title of which begins with the words "An Act to repeal" and ends with the words "or Conjuration" - - - - - The title from "to repeal" to "Anentis Witchcraft, and." Section four from "and once" to "one hour."	in part; namely,—
,, c. 33. -	An Act, the title of which begins with the words "An Act to render" and ends with the words "of Scotland" - - - - - The title from "to render" to "Sea, and."	in part; namely,—
11 Geo. 2. c. 17. -	An Act, the title of which begins with the words "An Act for securing" and ends with the words "to Papists" - - - - - The title from "for securing" to "Papists; and."	in part; namely,—
12 Geo. 2. c. 26. -	An Act for the better preventing Frauds and Abuses in Gold and Silver Wares - - Section twenty-four.	in part; namely,—
,, c. 29. -	An Act for the more easy assessing, collecting, and levying of County Rates - - - Preamble, and sections one to five, eight from beginning of section to "on such account or accounts and," and the words "and "high-constables," nine from beginning of section to "con- "stables and," ten, twelve, thirteen, fourteen from "after pre- "sentment" to "reparation of such bridges, ramparts, banks, "or cops," and from "and that such justices" to "works "aforesaid," fifteen to nineteen.	in part; namely,—
13 Geo. 2. c. 18. -	An Act the title of which begins with the words "An Act to continue" and ends with the words "within themselves" - - - The title from "to continue" to "Commissions; and" and from "and for extending" to end of title.	in part; namely,—
,, c. 19. -	An Act to restrain and prevent the excessive Increase of Horse Races, and for amending an Act made in the last Session of Parliament, intituled "An Act for the more effectual pre- "venting of excessive and deceitful Gaming" The title from "to restrain" to "races, and." Section ten.	in part; namely,—
14 Geo. 2. c. 33. -	An Act to supply some defects in the laws for repairing and rebuilding county bridges, for repairing, enlarging, erecting, and providing houses of correction, and for passing rogues and vagabonds - - - - - The title from "for repairing enlarging" to end of title.	in part; namely,—
15 Geo. 2. c. 13. -	An Act for establishing an Agreement with the Governor and Company of the Bank of England for advancing the sum of One million six hundred thousand pounds towards the supply for the service of the year One thousand seven hundred and forty-two - - - - Section fourteen.	in part; namely,—
,, c. 20. -	An Act to prevent the counterfeiting of Gold and Silver Lace; and for settling and adjusting the Proportions of fine Silver and Silk; and for the better making of Gold and Silver Thread - - - - - - Section fifteen.	in part; namely,—
,, c. 33. -	An Act the title of which begins with the words "An Act to revive" and ends with the words "or Bent" - - - - - The title from "to revive" to "Law; and."	in part; namely,—

17 Geo. 2. c. 40. -	An Act the title of which begins with the words "An Act to continue" and ends with the words "without Licence" - - - - The title from "to continue" to "War; and."	in part; namely,—
18 Geo. 2. c. 18. -	An Act to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for that Part of Britain called England - - - - - Section fifteen.	in part; namely,—
19 Geo. 2. c. 9. -	An Act the title of which begins with the words "An Act for the more easy" and ends with the words "called Scotland" - - - The title from "for the more" to "Majesty and."	in part; namely,—
,, c. 28. -	An Act for the better regulating of elections of Members to serve in Parliament for such Cities and Towns in that Part of Great Britain called England as are Counties of themselves - Section eleven.	in part; namely,—
20 Geo. 2. c. 43. -	An Act the title of which begins with the words "An Act for taking" and ends with the words "more complete" - - - - The title from "and for obliging" to "oaths."	in part; namely,—
,, c. 51. -	An Act to enlarge the time limited by an Act of the last session of Parliament for restraining the use of the Highland Dress; and to enable Heirs of Tailzie, Guardians, Tutors, Curators, and Trustees in Scotland to sell Lands to the Crown - - - - - - The title from "to enlarge" to "Dress; and."	in part; namely,—
21 Geo. 2. c. 19. -	An Act the title of which begins with the words "An Act for the more" and ends with the words "therein mentioned" - - - The title from "for the more" to "Scotland; and."	in part; namely,—
,, c. 34. -	An Act the title of which begins with the words "An Act to amend" and ends with the words "therein mentioned" - - - - - The title from "and restraining" to "Loyalty to His said late Majesty."	in part; namely,—
22 Geo. 2. c. 30. -	An Act for encouraging the People known by the name of Unitas Fratrum or United Brethren to settle in His Majesty's Colonies in America.	
23 Geo. 2. c. 22. -	An Act the title of which begins with the words "An Act for giving" and ends with the words "transferable Annuities" - - - The title from "and for impowering" to end of title.	in part; namely,—
24 Geo. 2. c. 4. -	An Act the title of which begins with the words "An Act for enabling" and ends with the words "of Parliament" - - - The title from "for enabling His" to "fifty-one; and," and from "and for giving" to end of title.	in part; namely,—
,, c. 40. -	An Act the title of which begins with the words "An Act for granting" and ends with the words "of Excise" - - - - The title from "for granting" to "retailing Spirituous Liquors; "and," and from "and for allowing" to end of title.	in part; namely,—
25 Geo 2. c. 4. -	An Act the title of which begins with the words "An Act for appointing," and ends with the words "Chief Clerk" - - - - Section three.	in part; namely,—

27 Geo. 2. c. 16. -	An Act the title of which begins with the words "An Act for making" and ends with the words "such Carriages" - - - - } in part; namely,— The title from "for making" to "Parliament; and," and from "and for giving" to end of title.
28 Geo. 2. c. 6. -	An Act the title of which begins with the words "An Act for taking" and ends with the words "his See" - - - - - - } in part; namely,— Section seven.
31 Geo. 2. c. 11. -	An Act the title of which begins with the words "An Act to amend" and ends with the words "than a Year" - - - - - } in part; namely,— The title from "and also" to end of title.
,, c. 22. -	An Act the title of which begins with the words "An Act for granting" and ends with the words "and Duties" - - - - } in part; namely,— The title from "and upon Houses" to end of title.
,, c. 32. -	An Act the title of which begins with the words "An Act for repealing" and ends with the words "Silver Plate" - - - - } in part; namely,— The title from "and for granting" to "dealing in Gold and Silver "or Silver Plate," and from "and for more effectually" to end of title.
32 Geo. 2. c. 24. -	An Act the title of which begins with the words "An Act to amend" and ends with the words "or Silver" - - - - - } in part; namely,— The title from "and for granting" to end of title.
4 Geo. 3. c. 31. -	An Act the title of which begins with the words "An Act to indemnify" and ends with the words "and Chases."
5 Geo. 3. c. 17. -	An Act the title of which begins with the words "An Act to confirm" and ends with the words "or Lives" - - - - - - } in part; namely,— Section four.
,, c. 26. -	An Act the title of which begins with the words "An Act for carrying" and ends with the words "particularly mentioned" - - } in part; namely,— Section five.
,, c. 51. -	An Act the title of which begins with the words "An Act for repealing" and ends with the words "Foreign Market" - - - } in part; namely,— Section thirty-one.
6 Geo. 3. c. 23. -	An Act the title of which begins with the words "An Act to amend" and ends with the words "Foreign Market" - - - - } in part; namely,— Section twenty-eight from "And also" to end of section.
7 Geo. 3. c. 38. -	An Act the title of which begins with the words "An Act to amend" and ends with the words "certain Prints" - - - - } in part; namely,— The title from "and for vesting" to end of title.
,, c. 48. -	An Act for regulating the Proceedings of certain Public Companies and Corporations carrying on Trade or Dealings with Joint Stocks in respect to the declaring of Dividends; and for further regulating the Qualification of Members for voting in their respective General Courts - - - - - - - } in part; namely,— Section four.
,, c. 49. -	An Act for regulating certain Proceedings of the General Court of the United Company of Merchants of England trading to the East Indies.

9 Geo. 3. c. 29. -	An Act the title of which begins with the words "An Act for the "more effectual" and ends with the words "of Parliament."
„ c. 37. -	An Act the title of which begins with the words "An Act for reviving" and ends with the words "counterfeit Coin" - - - } in part; namely,— The title from "for reviving" to "Consumption; and."
10 Geo. 3. c. 44. -	An Act the title of which begins with the words "An Act for more" and ends with the words "and Chairs" - - - - - } in part; namely,— The title from "and for explaining" to end of title.
„ c. 47. -	An Act for better regulating Persons employed in the Service of the East India Company, and for other purposes therein mentioned - - } in part; namely,— Sections three and six.
12 Geo. 3. c. 21. -	An Act for giving relief in Proceedings upon Writs of Mandamus for the Admission of Freemen into Corporations; and for other purposes therein mentioned.
„ c. 72. -	An Act the title of which begins with the words "An Act for rendering" and ends with the words "called Scotland" - - - } in part; namely,— The title from "for rendering" to "Poinding and."
13 Geo. 3. c. 52. -	An Act for appointing Wardens and Assay masters for assaying Wrought Plate in the Towns of Sheffield and Birmingham - - } in part; namely,— Section thirty-one.
„ c. 54. -	An Act for the more effectual Preservation of the Game in that part of Great Britain called Scotland; and for repealing and amending several of the Laws now in being relative thereto - - - - - - } in part; namely,— Section fifteen.
„ c. 63. -	An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company as well in India as in Europe - - - - - - - } in part; namely,— Preamble; sections one to six, eleven, twenty to twenty-two, thirty, thirty-one, thirty-four, thirty-five, and forty-seven.
„ c. 82. -	An Act the title of which begins with the words "An Act for the," and ends with the words "and places" - - - - - } in part; namely,— Section nineteen.
14 Geo. 3. c. 78. -	An Act the title of which begins with the words "An Act for the further," and ends with the words "contrary to law" - - - } in part; namely,— The title from "for the further," to "party walls and," and from "and for indemnifying" to end of title.
15 Geo. 3. c. 53. -	An Act the title of which begins with the words "An Act for enabling" and ends with the words "therein mentioned" - - - } in part; namely,— Section eight.
18 Geo. 3. c. 12. -	An Act the title of which begins with the words "An Act for removing" and ends with the words "relates thereto" - - - } in part; namely,— The title from "and for repealing" to end of title.
„ c. 19. -	An Act the title of which begins with the words "An Act for the" and ends with the words "other Felony."
19 Geo. 3. c. 20. -	An Act the title of which begins with the words "An Act for the better" and ends with the words "those purposes" - - - } in part; namely,— Section eighty-seven.

21 Geo. 3. c. 14. -	An Act the title of which begins with the words "An Act for raising" and ends with the words "present Majesty" - - - -	in part; namely,—
	The title from "and for consolidating" to end of title.	
,, c. 66. -	An Act the title of which begins with the words "An Act to explain," and ends with the words "their Benefices" - - - -	in part; namely,—
	Section three.	
24 Geo. 3. c. 20. -	An Act the title of which begins with the words "An Act for altering," and ends with the words "of Sheffield." - - - -	in part; namely,—
	Section five.	
,, c. 25. -	An Act the title of which begins with the words "An Act for the" and ends with the words "East Indies" - - - -	in part; namely,—
	Sections eighty-four, eighty-five.	
25 Geo. 3. c. 18. -	An Act the title of which begins with the words "An Act to empower," and ends with the words "of Middlesex" - - -	in part; namely,—
	Section two.	
,, c. 77. -	An Act the title of which begins with the words "An Act to amend," and ends with the words "herein contained" - - - -	in part; namely,—
	The title from "and for indemnifying" to end of title.	
	Preamble and section one from the beginning of the section to "repealed and that," and from "of debt" to "information," and from "at Westminster" to "allowed," and section six.	
26 Geo. 3. c. 57. -	An Act the title of which begins with the words "An Act for the further," and ends with the words "or India" - - - -	in part; namely,—
	The title from "for repealing" to "resorting to the East Indies."	
	Sections twenty-nine, thirty, thirty-nine.	
,, c. 62. -	An Act to enable the East India Company to raise Money by a Sale of Annuities, and by increasing their Capital Stock - -	in part; namely,—
	Sections four to nine.	
,, c. 77. -	An Act the title of which begins with the words "An Act to limit," and ends with the words "of Excise" - - - - -	in part; namely,—
	The title from "to limit" to "Stamps, and."	
28 Geo. 3. c. 7. -	An Act the title of which begins with the words "An Act to amend," and ends with the words "silver thread" - - - -	in part; namely,—
	Section eight.	
,, c. 37. -	An Act the title of which begins with the words "An Act for repealing," and ends with the words "or ale" - - - -	in part; namely,—
	The title from "for repealing" to "such sales," and from "and "to prevent" to end of title.	
29 Geo. 3. c. 41. -	An Act for raising a certain Sum of Money by way of Annuities to be attended with the Benefit of Survivorship in Classes.	
	From and after the death of the last surviving annuitant under the Act.	
,, c. 65. -	An Act to enable the East India Company to raise Money by further increasing their Capital Stock - - - - -	in part; namely,—
	Sections three to seven.	
30 Geo. 3. c. 31. -	An Act the title of which begins with the words "An Act to alter," and ends with the words "Silver Wares" - - - -	in part; namely,—
	Section six.	

30 Geo. 3. c. 45. -	An Act for converting certain Annuities to be attended with the Benefit of Survivorship in classes, established by an Act of the last session of Parliament, into certain Annuities for an absolute Term of Years, and for enabling the Commissioners of the Treasury to nominate Lives for the Shares so converted. *From and after the death of the last surviving annuitant under the Act.*	
32 Geo. 3. c. 58. -	An Act for the Amendment of the Law in Proceedings upon information in nature of Quo Warranto.	
,, c. 63. -	An Act for granting Relief to Pastors, Ministers, and Lay Persons of the Episcopal Communion in Scotland - - - - - Section fourteen.	in part; namely,—
33 Geo. 3. c. 47. -	An Act the title of which begins with the words "An Act for placing" and ends with the words "said Company" - - - Sections ten to thirteen and section sixteen.	in part; namely,—
,, c. 52. -	An Act the title of which begins with the words "An Act for continuing," and ends with the words "Madras and Bombay" - - Preamble, and sections one to eighteen, twenty-one, twenty-three, twenty-six, twenty-eight, fifty-eight to sixty-one, sixty-eight, sixty-nine, one hundred and fifty-two to one hundred and fifty-five, one hundred and fifty-eight to one hundred and sixty, and one hundred and sixty-three.	in part; namely,—
,, c. 68. -	An Act for remedying inconveniences attending certain proceedings in the Courts of Great Sessions in Wales and for the County Palatine of Chester, in the Court of Common Pleas for the County Palatine of Lancaster, in the Court of Pleas for the County Palatine of Durham, and in the County Courts in Wales.	
36 Geo. 3. c. 60. -	An Act to regulate the making and vending of Metal Buttons, and to prevent the Purchasers thereof from being deceived in the real Quality of such Buttons - - - - - Section twenty-two.	in part; namely,—
,, c. 85. -	An Act for the better Regulation of Mills Section eleven.	in part; namely,—
37 Geo. 3. c. 25. -	An Act for the better raising and ordering the Militia Forces of the Tower Hamlets, in the County of Middlesex - - - - Section nineteen.	in part; namely,—
38 Geo. 3. c. 48. -	An Act the title of which begins with the words "An Act to alter" and ends with the words "of Commissioners" - - - - Section four.	in part; namely,—
39 Geo. 3. c. 73. -	An Act the title of which begins with the words "An Act for exempting" and ends with the words "British Museum" - - - The title from "and also" to end of title.	in part; namely,—
,, c. 79. -	An Act the title of which begins with the words "An Act for the more," and ends with the words "seditious practices" - - - Section thirty-eight from "convictions" to "against this Act and," and Form I. in Schedule.	in part; namely,—
39 & 40 Geo. 3. c. 28.	An Act the title of which begins with the words "An Act for establishing" and ends with the words "eight hundred" - - - Section seventeen.	in part; namely,—
,, c. 81.	An Act the title of which begins with the words "An Act to repeal" and ends with the words "of Hops" - - - - - The title from "to repeal" to "duty on Hops; and."	in part; namely,—

39 & 40 Geo. 3. c. 109.	An Act the title of which begins with the words "An Act for granting" and ends with the words "otherwise destroyed" - - in part; namely,— The title from "for granting" to "Parliament and."
41 Geo. 3. (U.K.) c. 24.	An Act for the indemnifying of Persons injured by the forcible pulling down and demolishing of Mills, or of Works thereunto belonging, by Persons unlawfully and riotously assembled.
,, c. 79.	An Act for the better Regulation of Publick Notaries in England - - - - in part; namely,— Section eighteen.
,, c. 103.	An Act the title of which begins with the words "An Act to empower" and ends with the words "of Europe" - - - - in part; namely,— The title from "to empower" to "Parliament; and."
42 Geo. 3. c. 67. -	An Act the title of which begins with the words "An Act to extend" and ends with the words "the said Act."
43 Geo. 3. c. 59. -	An Act for remedying certain Defects in the Laws relative to the building and repairing of County Bridges, and other Works maintained at the Expense of the Inhabitants of Counties of England - - - - - - in part; namely,— Section eight.
47 Geo. 3. Sess. 2. c. 68.	An Act the title of which begins with the words "An Act for the better" and ends with the words "Service Abroad" - - - in part; namely,— Preamble and section eleven.
48 Geo. 3. c. 110.	An Act the title of which begins with the words "An Act for the further" and ends with the words "of Parliament" - - - in part; namely,— Sections five, seven, nine, in section eleven the words "the secretary and" wherever they occur, and section fifty-six.
,, c. 140.	An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of Dublin Metropolis - - in part; namely,— Section one hundred and twenty-seven.
51 Geo. 3. c. 41. -	An Act the title of which begins with the words "An Act to repeal" and ends with the words "such felonies" - - - - in part; namely,— Preamble.
,, c. 64. -	An Act the title of which begins with the words "An Act to enable" and ends with the words "relative thereto" - - - - in part; namely,— Preamble and section five.
52 Geo. 3. c. 63. -	An Act the title of which begins with the words "An Act for more effectually," and ends with the words "other Agents."
,, c. 155.	An Act to repeal certain Acts and amend other Acts relating to Religious Worship and Assemblies, and Persons teaching or preaching therein - - - - - - in part; namely,— Section nineteen.
53 Geo. 3. c. 127.	An Act for the better Regulation of Ecclesiastical Courts in England and for the more easy Recovery of Church Rates and Tithes - - in part; namely,— Sections four, five, six, except as to tithes offerings and compositions which have not been commuted, or are otherwise still payable.
55 Geo. 3. c. 84. -	An Act the title of which begins with the words "An Act to amend," and ends with the words "certain cases" - - - - in part; namely,— The title from "and also" to end of title.

55 Geo. 3. c. 94. -	An Act to continue and amend several Acts relating to the British White Herring Fishery - Sections two to four.	in part; namely,—
„ c. 194.	An Act for better regulating the Practice of Apothecaries throughout England and Wales Section thirty-one.	in part; namely,—
56 Geo. 3. c. 104.	An Act the title of which begins with the words "An Act for the" and ends with the words "of shipment" - - - - - The title from "the making" to "Fishery and."	in part; namely,—
57 Geo. 3. c. 19. -	An Act for the more effectually preventing Seditious Meetings and Assemblies - - Section thirty-four from "convictions" to "against this Act and," and Forms I. and III. in Schedule.	in part; namely,—
58 Geo. 3. c. 69. -	An Act for the Regulation of Parish Vestries - Section eleven from "and that" to end of section.	in part; namely,—
59 Geo. 3. c. 96. -	An Act to facilitate the Trials of Felonies committed on Stage Coaches and Stage Waggons, and other such Carriages; and of Felonies committed on the Boundaries of Counties.	
1 Geo. 4. c. 100. -	An Act the title of which begins with the words "An Act for amending" and ends with the words "of London" - - - - - Section fifty.	in part; namely,—
1 & 2 Geo. 4. c. 36.	An Act for the better Regulation of the Public Notaries in Ireland - - - - - Section eighteen.	in part; namely,—
„ c. 79.	An Act to repeal certain Bounties granted for the Encouragement of the Deep Sea British White Herring Fishery, and to make further Regulations relating to the said Fishery - Section nine.	in part; namely,—
„ c. 88.	An Act for the Amendment of the Law of Rescue - Section three.	in part; namely,—
3 Geo. 4. c. 33. -	An Act the title of which begins with the words "An Act for altering" and ends with the words "malicious offenders" - - - - Preamble.	in part; namely,—
„ c. 116.	An Act for the more convenient and effectual registering in Ireland Deeds executed in Great Britain - - - - - - Section eight.	in part; namely,—

CHAPTER 60.

An Act to amend the Prison (Officers' Superannuation) Act, 1878, as to Scotland. [16th September 1887.]

40 & 41 Vict. c. 53. 41 & 42 Vict. c. 63.

WHEREAS it is expedient in cases under section forty-three of the Prison (Scotland) Act, 1877, and the Prison (Officers Superannuation) Act, 1878, where two or more local authorities in Scotland are liable to pay shares in the same annuity to require the said local authorities to make commutation of the amounts which may be apportioned to them respectively under the said Acts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Prison (Officers Superannuation, Scotland) Act, 1887, and shall, so far as consistent with the provisions therein contained, be construed as one with the above-recited Acts.

Commutation of annuity payable by two or more local authorities.

2. Where two or more local authorities are liable to pay shares of the same annuity they shall commute the amount annually due by each respectively under the apportionment by the payment of a capital sum of money, to be calculated according to the tables contained in the Second Schedule appended to the said second recited Act, and shall pay the commutation sum in such manner and to such officer as the Treasury may direct.

Extent of Act.

3. This Act shall apply to Scotland only.

CHAPTER 61.

An Act for appointing Commissioners to inquire and report as to the Boundaries of certain Areas of Local Government in England. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Local Government (Boundaries) Act, 1887.

Constitution of Boundary Commission.

2.—(1.) The following persons, that is to say,—

The Right Honourable Earl Brownlow, the Honourable Edmond George Petty-Fitzmaurice, commonly called Lord Edmond Fitzmaurice, the Right Honourable Baron Basing, the Right Honourable Sir Henry John Selwin-Ibbetson, Baronet, M.P., and the Right Honourable John Tomlinson Hibbert, of whom not less than three shall be a quorum, shall be appointed Boundary Commissioners for England and Wales, and they shall immediately after the passing of this Act proceed, by themselves or by Assistant Commissioners appointed by them, to inquire, with respect to each county in England and Wales:

(*a.*) As to the best mode of so adjusting the boundaries of the county and of other areas of local government as to arrange that no union, borough, sanitary district, or parish shall be situate in more than one county, and

(*b.*) As to the best mode of dealing with parts of the county which are wholly or nearly detached from the county, and

(*c.*) As to the best mode of dealing with the cases where a borough is not an urban sanitary district and is wholly or partly comprised in an urban sanitary district, and

(*d.*) As to any alteration of boundaries, combination of areas, or administrative arrangements incidental to or consequential on any alteration which they may recommend in the boundaries of any county, union, borough, sanitary district, or parish.

(2.) In making their recommendations the Boundary Commissioners shall have due regard to financial and administrative considerations.

(3.) The Boundary Commissioners shall with all practicable dispatch report to the Local Government Board upon the several matters in this section referred to them, and their report shall be laid before Parliament.

(4.) If a vacancy occurs in the office of any of the Boundary Commissioners by reason of death, resignation, incapacity, or otherwise, it shall be lawful for Her Majesty the Queen, under Her Royal Sign Manual, to appoint some other person to fill the vacancy, and so from time to time as often as occasion requires.

Duties and powers of Commissioners.

3.—(1.) The Boundary Commissioners, by themselves or by their Assistant Commissioners, shall, by local inquiry and such other means as the Commissioners think necessary, possess themselves of such information as will enable them to report under this Act.

(2.) The Boundary Commissioners may, with the consent of the Local Government Board, associate any inspector of the Local Government Board with an Assistant Boundary Commissioner.

(3.) On holding any inquiry in pursuance of this Act, any Boundary Commissioner, assistant commissioner, or inspector of the Local Government Board shall have the same powers as an inspector of the Local Government Board has on holding a local inquiry under the Public Health Act, 1875.

Staff and remuneration.

4.—(1.) The Boundary Commissioners may from time to time, with the assent of the Treasury as to number, appoint a secretary and such persons as they think fit to be Assistant Commissioners, and appoint or employ such number of other officers and persons as they may think necessary for the purpose of the execution of their duties under this Act, and may remove any person so appointed or employed.

(2.) There shall be paid to the secretary, and to any assistant commissioner, officer, or person appointed or employed under this Act such salaries or other remuneration as the Treasury may assign, and that remuneration and all expenses of the Boundary Commissioners incurred with the sanction of the Treasury in the execution of this Act shall be paid out of moneys provided by Parliament.

Duration of powers.

5. The powers of the Boundary Commissioners shall, unless continued by Parliament, cease on the last day of December one thousand eight hundred and eighty-eight.

Exclusion of metropolis.

6. This Act shall not apply to the metropolis, that is to say, to the parishes and places in which the Metropolitan Board of Works have power to levy the metropolitan consolidated rate.

7. In this Act— Definitions.

The expression "county" does not include a county of a city or a county of a town, but includes any riding, division, or parts of a county having a separate court of quarter sessions.

The expression "the Treasury" means the Commissioners of Her Majesty's Treasury.

CHAPTER 62.

An Act to amend in certain minor particulars some of the Enactments relating to Merchant Shipping and Seamen.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1.) This Act may be cited as the Merchant Shipping (Miscellaneous) Act, 1887. Short title and construction.

(2.) This Act shall be construed as one with the Merchant Shipping Act, 1854, and the Acts amending the same, and this Act and those Acts may be cited collectively as the Merchant Shipping Acts, 1854 to 1887.

2. Whereas by section seven of the Merchant Shipping Act Amendment Act, 1862, it is provided that the fees payable by applicants for examination for certificates of competency as engineers shall be carried to the account of the Mercantile Marine Fund, and at the time of the passing of that Act the salaries of the surveyors by whom the examinations are conducted were paid out of the Mercantile Marine Fund: Fees on examinations of engineers to be paid to Mercantile Marine Fund. 25 & 26 Vict. c. 63. s. 7.

And whereas by section thirty-nine of the Merchant Shipping Act, 1876, it was provided that the salaries of the said surveyors should be paid out of moneys provided by Parliament, and by section four of the Merchant Shipping (Fees and Expenses) Act, 1880, it was provided that the fees paid by the said applicants for examination for certificates of competency as engineers should be paid into the Exchequer: 39 & 40 Vict. c. 80. s. 39. 43 & 44 Vict. c. 22. s. 4.

And whereas under section three of the Merchant Shipping (Expenses) Act, 1882, the salaries of the said surveyors are charged on and paid out of the Mercantile Marine Fund, and it is expedient that the fees paid by the said applicants for examination should be carried to the account of the Mercantile Marine Fund; be it therefore enacted as follows: 45 & 46 Vict. c. 55. s. 3.

The fees payable in pursuance of section seven of the Merchant Shipping Act Amendment Act, 1862, shall cease to be payable into the Exchequer, and all such of those fees as have been levied since the first day of April one thousand eight hundred and eighty-three, or are hereafter levied, shall be carried to the account of the Mercantile Marine Fund.

Explanation of 17 & 18 Vict. c. 104. s. 31 as to powers of colonial governors.

3. Whereas doubts have been expressed as to the extent of the powers conferred by section thirty-one of the Merchant Shipping Act, 1854, on certain colonial authorities, and it is expedient to remove those doubts: Be it therefore enacted that the powers conferred by that section on the governor, lieutenant-governor, or other person administering the government in a British possession shall include and be deemed to have always included the following powers, namely:—

(*a.*) Power to approve a port or place within the possession for the registry of ships; and

(*b.*) Power to appoint surveyors within the limits of the possession to survey and measure ships for registry or re-registry as British ships in accordance with the provisions of the Merchant Shipping Acts, 1854 to 1887.

Public Record Acts to apply to records in custody of Registrar-General of Seamen.

4. All documents which, under section two hundred and seventy-seven of the Merchant Shipping Act, 1854, or any enactment amending the same, are required to be recorded and preserved by the Registrar-General of Seamen shall be deemed to be public records and documents within the meaning of the Public Record Offices Acts, 1838 and 1877, and those Acts, shall, where applicable, apply to such documents in all respects as if such documents had been specifically referred to in the said Acts.

Explanation of meaning of lighthouses.

5. In the Merchant Shipping Act, 1854, and the Acts amending the same, the expression "lighthouses" shall, in addition to the meaning assigned to it by the Merchant Shipping Act, 1854, include sirens and all other descriptions of fog signals, and the expression "new lighthouse" shall include the addition to any existing lighthouse of any improved light, or any siren, or any description of fog signal.

Repeal.

6. The enactments mentioned in the Schedule to this Act are hereby repealed to the extent appearing in the third column of that Schedule:

Provided that the repeal of any enactment by this Act shall not affect the validity of anything done, or any right acquired or liability incurred, before the commencement of this Act under the repealed enactment, and that proceedings for enforcing any such right or liability may be commenced, continued, and completed as if this Act had not passed.

Section 6.

SCHEDULE.

REPEAL.

Session and Chapter.	Title.	Extent of repeal.
14 & 15 Vict. c. 102.	The Seamen's Fund Winding-up Act, 1851.	Section forty-eight.
43 & 44 Vict. c. 22. -	The Merchant Shipping (Fees and Expenses) Act, 1880.	Section four.

CHAPTER 63.

An Act to continue various expiring Laws.

[16th September 1887.]

WHEREAS the several Acts mentioned in column one of Part I. of the schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December one thousand eight hundred and eighty-seven:

And whereas the Act mentioned in column one of Part II. of that schedule is limited to expire at the end of the session next after the thirty-first day of December one thousand eight hundred and eighty-seven:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Expiring Laws Continuance Act, 1887.

Continuance of Acts in schedule.

2. The Acts mentioned in column one of the schedule to this Act shall, to the extent specified in column two of that schedule, be continued until the thirty-first day of December one thousand eight hundred and eighty-eight, and any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

SCHEDULE.

PART I.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(1) 5 & 6 Will. 4. c. 27. Linen, Hempen, Cotton, and other Manufactures (Ireland).	The whole Act so far as it is not repealed.	3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.
(2) 3 & 4 Vict. c. 89. Poor Rates, Stock in Trade Exemption.	The whole Act.	—
(3) 4 & 5 Vict. c. 30. Survey of Great Britain.	The whole Act so far as it is not repealed.	33 Vict. c. 13. 47 & 48 Vict. c. 43.
(4) 4 & 5 Vict. c. 35. Land Commissioners.	So much as relates to the appointment of and the period for holding office by Land Commissioners and other officers.	14 & 15 Vict. c. 53. 25 & 26 Vict. c. 73. 45 & 46 Vict. c. 38. s. 48.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(5) 4 & 5 Vict. c. 59. Application of Highway Rates to Turnpike Roads.	The whole Act.	——
(6) 10 & 11 Vict. c. 98. Ecclesiastical Jurisdiction.	As to provisions continued by 21 & 22 Vict. c. 50.	——
(7) 11 & 12 Vict. c. 32. County Cess (Ireland).	The whole Act - -	20 & 21 Vict. c. 7.
(8) 14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	The whole Act so far as it is not repealed.	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(9) 17 & 18 Vict. c. 102. Corrupt Practices Prevention.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(10) 23 & 24 Vict. c. 19. Dwellings for Labouring Classes (Ireland).	The whole Act.	——
(11) 24 & 25 Vict. c. 109. Salmon Fishery (England).	As to appointment of inspectors, s. 31.	49 & 50 Vict. c. 39. s. 3.
(12) 26 & 27 Vict. c. 105. Promissory Notes.	The whole Act - -	45 & 46 Vict. c. 61.
(13) 27 & 28 Vict. c. 20. Promissory Notes and Bills of Exchange (Ireland).	The whole Act.	——
(14) 28 & 29 Vict. c. 46. Militia Ballots Suspension.	The whole Act.	——
(15) 28 & 29 Vict. c. 83. Locomotives on Roads.	The whole Act so far as it is not repealed.	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.)
(16) 29 & 30 Vict. c. 52. Prosecution Expenses.	The whole Act.	——
(17) 31 & 32 Vict. c. 125. Parliamentary Elections.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(18) 32 & 33 Vict. c. 21. Election Commissioners Expenses.	The whole Act - -	34 & 35 Vict. c. 61.
(19) 32 & 33 Vict. c. 56. Endowed Schools (Schemes).	As to the powers of making schemes, and as to the payment of the salaries of additional Charity Commissioners.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87.
(20) 34 & 35 Vict. c. 87. Sunday Observance Prosecutions.	The whole Act.	——
(21) 35 & 36 Vict. c. 33. Parliamentary and Municipal Elections (Ballot).	The whole Act so far as it is not repealed.	45 & 46 Vict. c. 50. (Municipal Elections.)
(22) 36 & 37 Vict. c. 48. Regulation of Railways.	The whole Act - -	37 & 38 Vict. c. 40. (Part II.)
(23) 38 & 39 Vict. c. 48. Police Expenses.	The whole Act.	——
(24) 38 & 39 Vict. c. 84. Returning Officers Expenses.	The whole Act - -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(25) 39 & 40 Vict. c. 21. Juries (Ireland).	The whole Act.	——
(26) 41 & 42 Vict. c. 41. Returning Officers Expenses (Scotland).	The whole Act - -	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58.
(27) 41 & 42 Vict. c. 72. Sale of Liquors on Sunday (Ireland).	The whole Act.	——
(28) 43 Vict. c. 18. Parliamentary Elections.	The whole Act, so far as it is not repealed.	——
(29) 45 & 46 Vict. c. 59. Educational Endowments (Scotland).	The whole Act, so far as it is temporary.	——
(30) 46 & 47 Vict. c. 35. Diseases Prevention, Metropolis.	The whole Act, except s. 11.	47 & 48 Vict. c. 60.

1. Original Acts.	2. How far continued.	3. Amending Acts.
(31) 46 & 47 Vict. c. 51. Corrupt and Illegal Practices Prevention.	The whole Act.	—
(32) 47 & 48 Vict. c. 70. Municipal Elections (Corrupt and Illegal Practices).	The whole Act.	—
(33) 49 & 50 Vict. c. 42. Revising Barristers.	The whole Act.	—

PART II.

1. Original Acts.	2. How far continued.	3. Amending Acts.
43 & 44 Vict. c. 42. Employers Liability.	The whole Act.	—

CHAPTER 64.

An Act to facilitate the Establishment of Technical Schools in Scotland. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1. This Act may be cited as the Technical Schools (Scotland) Act, 1887, and shall in so far as consistent with the tenor thereof be construed as one with the Education (Scotland) Acts, 1872 to 1883.

Commencement and extent of Act.

2. This Act shall commence to have effect in each parish and burgh in Scotland from and after the next ensuing triennial election of a school board therein respectively, and shall apply to Scotland only.

Power for school board to provide technical school.

3.—(1.) A school board may pass a resolution that it is expedient to provide a technical school for its district, and thereupon may, subject to the provisions of this Act, provide such a school accordingly, and pay the expenses of providing and maintaining the school, including the expense, if any, of providing tools, apparatus, and drawing and other materials, in so far as the same remain the property of the school board, out of the school fund.

The subjects to be taught in the school shall be such as may from time to time be approved of by the Scotch Education Department.

The school board shall fix the school fees to be paid for attendance at each technical school under their management, and such fees shall be paid to the treasurer of the board, and a separate account shall be kept of the amount of the fees derived from such school, and it shall be lawful for the school board, if they see fit, to pay to the teachers of a technical school the fees derived from such school, and to divide the same among them as the school board shall determine. Any deficiency which may exist on the technical school account shall be payable out of the school fund provided under the Education (Scotland) Acts, 1872 to 1883.

(2.) If the resolution is not confirmed as herein-after mentioned, it shall not be carried into effect, and shall not be again proposed until the expiration of not less than twelve months.

Provision for confirmation of resolution with reference to establishment of school.

4. A resolution of a school board, as in the last section mentioned, shall be of no effect unless and until—

(1.) It is confirmed at a subsequent meeting of the school board held after the resolution has been published in the prescribed manner, and after the expiration of the prescribed time, being not earlier than one month after the first publication of such resolution; and

(2.) It is confirmed by the Scotch Education Department by a Minute or Order.

Conditions under which schools are to be conducted.

5.—(1.) Every school provided under this Act if it claim a grant from the Department of Science and Art shall, with respect to any subject for which such grant is claimed, be conducted in accordance with the conditions specified in the Minutes of the Department of Science and Art in force for the time being, and required to be fulfilled by such a school in order to obtain a grant from that Department.

(2.) Those conditions shall, amongst other things, provide that a grant shall not be made by the Department of Science and Art in respect of a scholar admitted to the school unless or until he has obtained such a certificate from the Scotch Education Department, as is herein-after mentioned.

(3.) A Minute of the Department of Science and Art not in force at the passing of this Act shall not be deemed to be in force for the purposes of this Act until it has lain for not less than one month during one session on the Table of both Houses of Parliament.

School for subjects other than those for which grant is claimed to be conducted under Scotch Code.

6. Every school provided under this Act shall, in respect to all subjects other than those for which a grant is claimed from the Science and Art Department, be conducted in accordance with the conditions which may from time to time be set forth in the Scotch Education Code annually laid before Parliament under the heading "Technical Schools."

Duties and powers of school board with respect to technical schools.

7.—(1.) Every school board providing a technical school shall, subject to the provisions of this Act, maintain and keep efficient the school so provided.

(2.) For the purpose of providing any such school, a school board shall have the same powers, but subject to the same conditions, as

a school board has for providing sufficient school accommodation for its district.

(3.) For the purpose of maintaining any such school, a school board shall have the same powers, but subject to the same conditions, as a school board has in regard to the maintenance of a higher class public school under section eighteen of the Education (Scotland) Act, 1878.

(4.) A school board may, with the consent of the Scotch Education Department, use for the purposes of a technical school any buildings, or part of any buildings, vested therein for the purposes of the Education (Scotland) Acts, 1872 to 1883, and a school board or combination of school boards may, with the consent of the Scotch Education Department, use for the purposes of the Education (Scotland) Acts, 1872 to 1883, any buildings, or part of any buildings, authorised by this Act.

(5.) A school board may, with the consent of the Scotch Education Department, spread the payment of the expense of providing a technical school over a number of years, not exceeding thirty-five years, unless with the sanction of the Treasury, and in any case not exceeding fifty, and may borrow money for that purpose; and for the purpose of such borrowing, section forty-five of the Education (Scotland) Act, 1872, shall be held to apply to the loan, and such provision shall be deemed to be a work for which a school board is authorised to borrow, and the Public Works Loan Commissioners are authorised to lend, within the meaning of the ninth section and the First Schedule of the Public Works Loans Act, 1875.

(6.) Where a school board has provided any such school, it may discontinue the school or change the site thereof, if it satisfies the Scotch Education Department that the school to be discontinued is unnecessary, or that the change of site is expedient.

Combination of school boards to provide technical school.

8. Any two or more school boards may resolve to combine together for the purpose of providing and maintaining a technical school under this Act common to the districts of such school boards, provided that no such resolution shall have any effect unless and until it has been published and confirmed in manner herein-before provided; and if such resolution is confirmed as aforesaid, the same provisions shall have effect as in the case of a resolution to provide a technical school, and if the resolution is carried into effect the expenses of providing or maintaining the school, and the sum necessary to meet any deficiency on the technical school account shall be paid out of the school funds of the combining school boards in terms of the said resolution.

Transference of existing technical schools, &c.

9. The provisions of sections thirty-eight and thirty-nine of the Education (Scotland) Act, 1872, with respect to the transference of schools in pursuance of those sections, shall apply to technical schools now existing, or which may hereafter exist, in the same manner as they now apply to the schools which may presently be transferred in pursuance of those sections.

Scholars admissible to technical schools.

10. No scholar shall be admitted to a technical school unless or until he has obtained a certificate under section seventy-three of the Education (Scotland) Act, 1872, as amended by section seven

of the Education (Scotland) Act, 1883, or an examination equivalent thereto.

Technical schools deemed public. Effect of attendance.

11. A technical school provided and maintained under this Act shall be deemed to be a public school, but attendance thereat shall not be reckoned as attendance for the purpose of any grant from moneys voted by Parliament under the Education (Scotland) Acts, 1872 to 1883.

Definitions.

12. In this Act—

The expression "technical school" means a school or department of a school in which technical instruction is given, and school board shall include combination of school boards.

The expression "technical instruction" means instruction in subjects approved by the Scotch Education Department, and in the branches of science and art with respect to which grants are for the time being made by the Department of Science and Art, or in any other subject which may for the time being be sanctioned by that Department.

The expression "prescribed" means prescribed by the Scotch Education Department.

CHAPTER 65.

An Act to facilitate the construction of Tramways by Her Majesty's Principal Secretary of State for the War Department, and for other purposes connected therewith. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Military Tramways Act, 1887.

Extent of Act.

2. This Act shall not extend to Ireland.

Power to Secretary of State to obtain Provisional Orders.

3. The Board of Trade may on the application of one of Her Majesty's Principal Secretaries of State (in this Act referred to as the Secretary of State) make and settle Provisional Orders (to be confirmed in manner provided by this Act) authorising the construction and maintenance by the Secretary of State of tramways on any land belonging to him or to be acquired by him for such purpose, or along or across any road, and authorising the working and using by him of such tramways.

Provisions for protection for local and road authorities, and of the public. 33 & 34 Vict. c. 78.

4. So far as regards the construction and maintenance of the tramways authorised by any Provisional Order along or across any road, the Board of Trade shall insert in such Provisional Order either—

(*a.*) The following provisions of the Tramways Act, 1870; that is to say,

Sections twenty-six to twenty-nine, both inclusive (relating to the breaking up, re-instatement, and repair of roads);

Sections thirty and thirty-one (relating to the protection of gas and water companies, and sewers);

Section thirty-two (relating to the rights of authorities and companies to open roads); and

Section thirty-three (relating to any difference between the promoters and any authority or company being referred to the Board of Trade);

subject to any modification which to the Board of Trade may seem necessary or proper, or

(*b.*) Such other provisions with respect to the matters referred to in such sections as to the Board of Trade may seem necessary or proper.

As regards all of the tramways authorised by such Provisional Order, the Board of Trade shall insert therein such sections of the Tramways Act, 1870, with or without any modifications, and such other provisions as to them may seem necessary or proper for the protection of the local and road authorities, and of the public, and of any persons whose interests might be affected by the construction or user of such tramways, as well as for giving suitable powers to the Secretary of State and to persons acting under his direction.

Provisional Order may authorise acquisition of land.

5. Any Provisional Order may authorise the Secretary or State, with the approval of the Commissioners of Her Majesty's Treasury, to acquire any lands specified in such Provisional Order which may be required for the purpose of the tramways authorised by the same, and for such purposes the provisions of the Lands Clauses Acts may be incorporated with such Provisional Order, subject to such modifications as to the Board of Trade may seem expedient.

As to use of tramways.

6. The Secretary of State may work and use the tramways and may use on the tramways carriages with flange wheels or wheels suitable only to run on the rail prescribed by the Provisional Order; and, subject to the provisions of the Provisional Order and of this Act, the Secretary of State shall have the exclusive use of the tramways for carriages with flange wheels or other wheels suitable only to run on the rail so prescribed.

All carriages used on any tramway shall be moved by the power prescribed by the Provisional Order; and where no such power is prescribed by animal power only. Whenever the Provisional Order authorises the use of electricity as a motive power, or otherwise, in connexion with any tramway, such provisions shall be inserted in the Provisional Order as are proper for the protection of the telegraphs of Her Majesty's Postmaster General.

If any person, except under the authority of a Provisional Order made by the Board of Trade under this Act, uses any of the tramways or any part thereof with carriages having flange wheels or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

Penalties on persons injuring or obstructing tramways.

7. Any Provisional Order may contain such provisions as to the Board of Trade may seem necessary or proper, imposing penalties on any persons injuring, obstructing, or trespassing on any of the tramways, or any carriages used thereon, or in any way contravening any of the provisions of such Provisional Order.

Secretary of State may make byelaws as to use of steam or mechanical power.

8. The Secretary of State may, with the approval of the Board of Trade, from time to time make, and when made rescind, annul, or add to, such byelaws and regulations with regard to the traffic on and the use of the tramways on which steam or any mechanical power may be used under the authority of any Order made under this Act, as to the Secretary of State and to the Board of Trade may seem necessary or proper for securing to the public all reasonable protection against danger in the use on the tramways of such steam or mechanical power.

Any such byelaws or regulations may impose penalties for any offence against the same.

All byelaws and regulations made under the authority of this section shall be signed by the Secretary of State and by a secretary or an assistant secretary of the Board of Trade, and when so signed the same shall be deemed to be duly made in accordance with the provisions of this Act.

General provisions as to penalties.

9. Any penalties imposed by any Provisional Order, byelaw, or regulation made under the authority of this Act shall not exceed five pounds for each offence, or in the case of a continuing offence, five pounds for the first day, and one pound for every additional day during which the offence continues.

Any penalties incurred under this Act, or under any Provisional Order, byelaw, or regulation made thereunder, may be recovered in manner provided by section fifty-six of the Tramways Act, 1870.

Publication and confirmation of Provisional Order.

10.—(1.) When a Provisional Order has been made by the Board of Trade on the application of the Secretary of State under this Act, it shall be published in the "London Gazette," and in such other manner by deposit and advertisement as to the Board of Trade may seem proper, but it shall not be of any effect unless confirmed as herein-after provided.

(2.) Where within one month after the publication of the Provisional Order in the "London Gazette," and of such other publication or advertisement as the Board of Trade may direct, a petition against it by any local or road authority within whose district it is proposed by the Provisional Order to authorise the construction of any tramways or by the owner or occupier of any land which the Secretary of State is authorised to acquire by the Provisional Order has been received by the Board of Trade, and is not withdrawn, the Provisional Order shall require the confirmation of Parliament, and the Board of Trade may, if they think fit, in such case, at any time after the expiration of such month, procure a Bill to be introduced into either House of Parliament for an Act to confirm such Provisional Order, which shall be set out at length in the schedule to the Bill.

If, while any such Bill is pending in either House of Parliament, a petition is presented against any Provisional Order comprised therein, a Bill, so far as it relates to the Order petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The Act of Parliament confirming a Provisional Order under this Act shall be deemed a Public General Act.

(3.) Where at the expiration of one month after the publication of a Provisional Order in the "London Gazette," and of such other publication or advertisement as the Board of Trade may direct, no such petition against it has been received by the Board of Trade, or where every such petition that may have been presented has been withdrawn, the Board of Trade may, if they think fit, submit such Provisional Order for confirmation to Her Majesty in Council, and it shall be lawful for Her Majesty to confirm such Provisional Order by Order in Council, and thereupon such Provisional Order shall be of full force and effect in the same manner in all respects as if it had been confirmed by Act of Parliament.

(4.) The Board of Trade, on the application of the Secretary of State, may from time to time revoke, amend, extend, or vary such Provisional Order by a further Provisional Order to be confirmed in manner provided by this section.

Provisional Order may be obtained by local authority, &c., for use of tramways.

11. Where any tramway has been constructed by the Secretary of State along a road in any district, the local authority of such district or any person (herein-after referred to as the promoters) may apply to the Board of Trade for a Provisional Order authorising the promoters to use such tramways in addition to the Secretary of State, in the same manner and subject to the same conditions so far as the same are applicable as if the promoters were applying for a Provisional Order authorising the construction of tramways under the provisions of the Tramways Act, 1870, and the said provisions shall apply accordingly: Provided always, that the promoters shall give to the Secretary of State such notice of the application, or intended application, as may be prescribed.

The Board of Trade may on such application settle and make a Provisional Order authorising the promoters to use such tramways on such payment and subject to such conditions as to the maintenance and repair of the tramway and road or otherwise as to the Board of Trade may seem expedient, and the provisions of the Tramways Act, 1870, shall, so far as the same are applicable and except where the same are expressly varied by the Provisional Order, apply to the Provisional Order and the tramways thereby authorised to be used.

If the Secretary of State so desires, the Board of Trade, in lieu of providing by such Provisional Order for the user of the tramways by the promoters, shall by such Provisional Order provide for the sale of the tramways by the Secretary of State to the promoters in such manner and subject to such conditions as to the user of the tramways by the Secretary of State and otherwise as may seem expedient to the Board of Trade.

Interpretation.

12. For the purposes of this Act, unless the context otherwise requires, terms shall have the same meaning as in the Tramways Act, 1870, provided as follows:

The term "road" shall include any highway:

The term "person" shall include a corporation:

The term "tramway" shall mean any tramway constructed or to be constructed by the Secretary of State under the authority of a Provisional Order under this Act.

For the purpose of incorporating any sections of the Tramways Act, 1870, with this Act—

The terms "tramway duly authorised" and a "tramway" in such sections shall be deemed to mean a tramway authorised by a Provisional Order under this Act:

The term "promoters" in the said sections shall mean the Secretary of State.

CHAPTER 66.

An Act to amend the Law relating to the discharge of Bankrupts and the closure of Bankruptcy proceedings. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

1.—(1.) This Act may be cited as the Bankruptcy (Discharge and Closure) Act, 1887.

(2.) Expressions used in this Act shall, unless a contrary intention appears, have the same meaning as in the Bankruptcy Act, 1883.

Proceedings for discharge of bankrupt under repealed Bankruptcy Acts. 32 & 33 Vict. c. 71.

2.—(1.) A debtor who has been adjudged bankrupt, or whose affairs have been liquidated by arrangement under the Bankruptcy Act, 1869, or any previous Bankruptcy Act, and who has not obtained his discharge, may apply to the court for an order of discharge, and thereupon the court shall appoint a day for hearing the application in open court.

(2.) Notice of the appointment by the court of the day for hearing the application for discharge shall twenty-one days at least before the day so appointed be sent by the debtor to each creditor who has proved in the bankruptcy or liquidation, or to those of them whose addresses appear in the debtor's statement of affairs or are known to the debtor, and shall also, fourteen days at least before the day so appointed, be published in the London Gazette.

(3.) On the hearing of the application the court may hear any creditor, and may put such questions to the debtor and receive such evidence as the court thinks fit, and, on being satisfied that the notice required by this section has been duly sent and published, may either grant or refuse the order of discharge or suspend the operation of the order for a specified time, or grant the order of discharge subject to any conditions with respect to any earnings or income which may afterwards become due to the debtor, or with respect to his after-acquired property: Provided that the court shall refuse the discharge in all cases where the court is satisfied by evidence that the debtor has committed any misdemeanor under Part Two of the Debtors Act, 1869, or any amendment thereof. 32 & 33 Vict. c. 62.

(4.) The court may, as one of the conditions referred to in this section, require the debtor to consent to judgment being entered against him in the court having jurisdiction in the bankruptcy or liquidation by the official receiver of the court, or the trustee or assignee in the bankruptcy or liquidation, for any balance of the debts provable under the bankruptcy or liquidation which is not satisfied at the date of the discharge, or for such sum as the court shall think fit, but in such case execution shall not be issued on the judgment without the leave of the court, which leave may be given on proof that the debtor has since his discharge acquired property or income available for payment of his debts.

(5.) A discharge granted under this section shall have the same effect as if it had been granted in pursuance of the Act under which the debtor was adjudged bankrupt or liquidated his affairs by arrangement.

Proceedings for closing bankruptcies under Bankruptcy Act, 1869.

3.—(1.) Every bankruptcy under the Bankruptcy Act, 1869, which is pending on the thirty-first day of December one thousand eight hundred and eighty-seven shall, by virtue of this Act, be closed on that day unless the court otherwise orders.

(2.) Subject to the provisions of this section, the court may, on the application of the trustee under any such bankruptcy, and on being satisfied that there are special circumstances rendering it expedient to postpone the close of the bankruptcy, make an order postponing the close of the bankruptcy until such date as the court may from time to time determine.

(3.) The order may be made either before or after the said day, but an application under this section shall not be entertained unless made before the said day.

(4.) The trustee shall, before making an application under this section, give notice to the Board of Trade of his intention to do so, and shall supply the Board with such information as the Board may require as to the position of the bankruptcy, and the court before making an order under this section shall consider any representation which may be made by or on behalf of the Board of Trade with respect thereto.

In bankruptcies, insolvencies, or arrangements under Acts prior to 1869 in the London district, official assignee may be appointed to supersede creditors assignee.

4.—(1.) In each of the following cases, that is to say:

(*a.*) Any insolvency under any Act for the relief of insolvent debtors;

(*b.*) Any commission, fiat, or adjudication in bankruptcy within the jurisdiction of the old London Bankruptcy Court, under any Act prior to the Bankruptcy Act, 1869;

(*c.*) Any administration by way of arrangement pursuant to an Act of the session held in the seventh and eighth years of the reign of Her Majesty, chapter seventy, entitled "An Act "for facilitating arrangements between Debtors and Creditors," or pursuant to the provisions of the Bankrupt Law Consolidation Act, 1849, or the hundred and ninety-second section of the Bankruptcy Act, 1861, within the jurisdiction of the old London Bankruptcy Court,

in which the estate is now vested in a creditors assignee, or trustee, or inspector, either alone or jointly with the official assignee, the

court may at any time after the passing of this Act, upon the application of any creditor, and upon being satisfied that there is good ground for removing such creditors assignee, trustee, or inspector, or in any other case in which it shall appear to the court just or expedient, appoint the official assignee, or any person appointed under the one hundred and fifty-third section of the Bankruptcy Act, 1883, to perform the remaining duties of the office of official assignee, to be sole assignee, or trustee, or inspector of the estate in the place of such creditors assignee, trustee, or inspector, as the case may be. 46 & 47 Vict. c. 52.

(2.) Such appointment shall operate as a removal of the creditors assignee, trustee, or inspector of the estate, and shall vest the whole of the property of the bankrupt or debtor in the official assignee or person appointed by the Board of Trade as aforesaid alone; and all estate, rights, powers, and duties of such former creditors assignee, trustee, or inspector shall thereupon vest in and devolve upon the official assignee or person appointed by the Board of Trade as aforesaid alone.

Provision to release trustee.

5. An application by a trustee in a bankruptcy under the Bankruptcy Act, 1869, to the comptroller in bankruptcy for a report on his accounts with a view to his release shall not be entertained unless made within twelve months after the close of the bankruptcy.

Effect of release.

6.—(1.) Where on the close of a bankruptcy or liquidation, or on the release of a trustee, a registrar or official receiver or official assignee is or is acting as trustee, and where under section one hundred and fifty-nine, section one hundred and sixty, or section one hundred and sixty-one of the Bankruptcy Act, 1883, an official receiver is or is acting as trustee, no liability shall attach to him personally in respect of any act done or default made or liability incurred by any prior trustee.

(2.) Section eighty-two of the Bankruptcy Act, 1883 (which section relates to the release of a trustee), shall, with the exception of sub-section four thereof, apply to an official receiver or official assignee when he is or is acting as trustee, and when an official receiver or official assignee has been released under that section he shall continue to act as trustee for any subsequent purposes of the administration of the debtor's estate, but no liability shall attach to him personally by reason of his so continuing in respect of any act done, default made, or liability incurred before his release.

Disposal of old books and papers.

7. All books and papers in the custody of an official receiver or official assignee, or of the Acting Comptroller in Bankruptcy, and relating to any bankruptcy under the Bankruptcy Act, 1869, may, on the expiration of one year after the close of the bankruptcy, be disposed of in accordance with rules made under section one of the Public Records Office Act, 1877, and that section shall apply accordingly. 40 & 41 Vict. c. 55.

Power to make rules and prescribe fees.

8.—(1.) General rules for carrying into effect the objects of this Act may from time to time be made, revoked, or altered by the same authority and subject to the same provisions as general rules for carrying into effect the objects of the Bankruptcy Act, 1883.

(2.) There shall be paid in respect of proceedings under this Act such fees as the Lord Chancellor may, with the sanction of the Treasury, from time to time prescribe, and the Treasury may direct by whom and in what manner the same are to be collected and accounted for, and to what account they are to be paid.

CHAPTER 67.

An Act to amend the Superannuation Acts, 1834 and 1859; and for other purposes. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant of gratuity or allowance to injured civil servant.

1.—(1.) Where a person employed in the civil service of the state is injured—

(*a*) in the actual discharge of his duty; and

(*b*) without his own default; and

(*c*) by some injury specifically attributable to the nature of his duty,

the Treasury may grant to him, or, if he dies from the injury, to his widow, his mother, if wholly dependent on him at the time of his death, and to his children, or to any of them, such gratuity or annual allowance as the Treasury may consider reasonable, and as may be permitted by the terms of a warrant under this section.

(2.) The Treasury shall forthwith after the passing of this Act frame a warrant regulating the grant of gratuities and annual allowances under this section, and the warrant so framed shall be laid before Parliament.

(3.) Provided that a gratuity under this section shall not exceed one year's salary of the person injured, and an allowance under this section shall not, together with any superannuation allowance to which he is otherwise entitled, exceed the salary of the person injured, or three hundred pounds a year, whichever is less.

Power to grant retiring allowance to persons removed.

2.—(1.) Where a civil servant is removed from his office on the ground of his inability to discharge efficiently the duties of his office, and a superannuation allowance cannot lawfully be granted to him under the Superannuation Acts, 1834 and 1859, and the Treasury think that the special circumstances of the case justify the grant to him of a retiring allowance, they may grant to him such retiring allowance as they think just and proper, but in no case exceeding the amount for which his length of service would qualify him under sections two and four of the Superannuation Act, 1859, without any addition under section seven of that Act.

(2.) A minute of the Treasury granting an allowance under this section to any civil servant shall set forth the amount of the allowance granted to him, and the reasons for such allowance, and shall be laid before Parliament: Provided that the Treasury before making the grant shall consider any representation which the civil servant removed may have submitted to them.

Reckoning of temporary services.

3. Where a person at the time he becomes a civil servant within the meaning of this Act is serving the State in a temporary capacity, the Treasury may, if in their opinion any special circumstances of the case warrant such a course, direct that his service in that capacity may be reckoned for the purposes of the Superannuation Acts, 1834 and 1859, and this Act, as service in the capacity of a civil servant, and it shall be so reckoned accordingly.

Compassionate gratuity on retirement of person not entitled to superannuation.

4. If a person employed in any public department in a capacity in respect of which a superannuation allowance cannot be granted under the Superannuation Act, 1859, retires, or is removed from his employment, and

(*a.*) the employment is one to which he was required to devote his whole time, and

(*b.*) the remuneration for the employment was paid entirely out of moneys provided by Parliament, and

(*c.*) he has served in the employment for not less than seven years, if he is removed in consequence of the abolition of his employment, or for the purpose of facilitating improvements in the organisation of the department by which economy can be effected, or for not less than fifteen years if his retirement is caused from infirmity of mind or body, permanently incapacitating him from the duties of his employment,

the Treasury may, if they think fit, grant to him a compassionate gratuity not exceeding one pound or one week's pay, whichever is the greater, for each year of his service in his employment.

Provision against double pensions.

5. A person shall not be entitled to reckon the same period of time both for the purpose of a superannuation allowance under the Superannuation Acts, 1834 and 1859, and this Act, and also for the purpose of naval or military non-effective pay.

Regulations as to officers receiving half-pay or retired pay.

6.—(1.) The Treasury may, within one month after the passing of this Act, frame rules as to the conditions on which any civil employment of profit under any public department as defined by this Act, or any employment of profit under the Government of any British possession, or any employment under the Government of any Foreign State may be accepted or held by any person who is in receipt of or has received any sum granted by Parliament for the pay, half-pay, or retired pay of officers of Her Majesty's naval or land forces, or otherwise for payment for past service in either of such forces, or who has commuted the right to receive the same, and as to the effect of such acceptance or holding on the said pay or sum, and the Treasury may in such rules provide for the enforcement thereof by the forfeiture, suspension, or reduction of any such pay or sum as aforesaid, or of any commutation money or remuneration for such employment.

(2.) Such rules shall also provide for the returns to be laid before Parliament of such officers accepting employment as are affected by the rules, and shall come into operation at the date of the passing of this Act.

(3.) The rules shall be laid before both Houses of Parliament forthwith.

(4.) For the purposes of this section "British possession" means any part of Her Majesty's dominions out of the United Kingdom,

and this section shall apply to Cyprus as if it were a British possession.

Provision as to lunatics.

7.—(1.) Where any sum in respect of pay, pension, superannuation, or other allowance or annuity is due in respect either of service as a civil servant, or of military or naval service, to a person who is a lunatic, whether so found by inquisition or not, such sum may be from time to time applied for his benefit by the prescribed public department in such manner as the department think expedient.

(2.) Where any annuity, whether pension, superannuation, or other allowance, is payable out of moneys provided by Parliament to a person in respect either of service as a civil servant or of military or naval service, and such person is or becomes a lunatic towards whose maintenance a contribution is made out of money provided by Parliament, then as long as the contribution is made his annuity shall be reduced by an amount equal to that contribution, and if the amount of the contribution exceeds the amount of the annuity, the annuity shall cease to be payable.

Distribution of money not exceeding 100*l.* without probate.

8. On the death of a person to whom any sum not exceeding one hundred pounds is due from a public department in respect of any civil pay, superannuation, or other allowance, annuity or gratuity, then, if the prescribed public department so direct, but subject to the regulations (if any) made by the Treasury, probate or other proof of the title of the personal representative of the deceased person may be dispensed with, and the said sum may be paid or distributed to or among the persons appearing to the public department to be beneficially entitled to the personal estate of the deceased person, or to or among any one or more of those persons, or in case of the illegitimacy of the deceased person or his children, to or among such persons as the department may think fit, and the department shall be discharged from all liability in respect of any such payment or distribution.

Decision of Treasury.

9. The decision of the Treasury on any question which arises as to the application of any section of this Act to any person, or as to the amount of any allowance or gratuity under this Act, or as to the reckoning of any service for such allowance or gratuity, shall be final.

Saving for existing interests.

10. Nothing in this Act shall be construed so as in any way to interfere with the rights existing at the passing of this Act of any civil servant then holding office.

Laying of warrant and minutes before Parliament.

11. Every warrant and minute under this Act which is required to be laid before Parliament shall be laid before both Houses of Parliament in manner provided by section thirteen of the Superannuation Act, 1859.

Definitions.

12. In this Act, unless the context otherwise requires,—

The expression "civil servant" means a person who has served in an established capacity in the permanent civil service of the State within the meaning of section seventeen of the Superannuation Act, 1859:

22 Vict. c. 29.

The expression "Treasury" means the Commissioners of Her Majesty's Treasury.

The expression "public department" means the Treasury, the Commissioners for executing the office of Lord High Admiral, and any of Her Majesty's Principal Secretaries of State, and any other public department of the Government; and the expression "prescribed public department" means, as respects any matter, the department prescribed for the purpose of that matter by the Treasury.

Short titles.

13. The Act of the session of the fourth and fifth years of the reign of King William the Fourth, chapter twenty-four, intituled "An Act to alter, amend, and consolidate the laws for regulating "the pensions, compensations, and allowances to be made to persons "in respect of their having held civil offices in His Majesty's "service," is in this Act referred to and may be cited as the Superannuation Act, 1834, and that Act and the Superannuation Act, 1859, are together in this Act referred to as the Superannuation Acts, 1834 and 1859.

The said Acts and this Act may be cited together as the Superannuation Acts, 1834 to 1887, and this Act may be cited separately as the Superannuation Act, 1887.

Repeal.

14. The Acts set forth in the schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned as from the passing of this Act, without prejudice to anything previously done or suffered in pursuance of the enactments hereby repealed.

SCHEDULE.

ACTS REPEALED.

Section 14.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
4 & 5 Will. 4. c. 24. -	An Act to alter, amend, and consolidate the laws for regulating pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's service.	Section sixteen.
6 & 7 Will. 4. c. 13. -	An Act to consolidate the laws relating to the constabulary force in Ireland.	Section thirty.
7 Will. 4. & 1 Vict. c. 25.	An Act to make more effectual provisions relating to the police in the district of Dublin metropolis.	Section nineteen.
2 & 3 Vict. c. 47. -	An Act for further improving the police in and near the metropolis.	Section nineteen.
2 & 3 Vict. c. 93. -	An Act for the establishment of county and district constables by the authority of justices of the peace.	Section eleven.
22 Vict. c. 26. -	The Superannuation Act, 1859	Section five.
22 & 23 Vict. c. 32. -	An Act to amend the law concerning the police in counties and boroughs in England and Wales.	Section twenty-seven.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
31 & 32 Vict. c. 90. -	An Act to empower certain public departments to pay otherwise than to executors or administrators small sums due on account of pay or allowances to persons deceased.	The whole Act.
33 & 34 Vict. c. 96. -	An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-one, and to appropriate the supplies granted in this session of Parliament.	Subsections four, five, and six of section six.
35 & 36 Vict. c. 12. -	The Superannuation Act, 1872	The whole Act.

CHAPTER 68.

An Act to explain section twenty-six of the Pluralities Act, 1838. [16th September 1887.]

1 & 2 Vict. c. 106.

WHEREAS by section twenty-six of the Pluralities Act, 1838, it is provided that the bishop of a diocese may draw up a scheme for separating any part of a parish from the parish or mother church, and either constituting the same a separate benefice by itself or uniting it to any other parish, or to any other adjoining part of a parish or place, so as to form a separate parish or benefice, or for annexing any extra-parochial place to any parish to which it is contiguous, or constituting it a separate parish, and if the archbishop of the province reports to Her Majesty that he is satisfied with such scheme, and that the patron or patrons of the benefices affected by such alteration have consented, the Queen in Council is authorised to make an order for carrying such scheme into effect:

And whereas doubts have arisen as to whether any such part of a parish or extra-parochial place as in the said section mentioned, when situate in the diocese of one bishop, can be transferred to the diocese of another bishop, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Explanation of 1 & 2 Vict. c. 106. s. 26.

1. A scheme under section twenty-six of the Pluralities Act, 1838, in relation to any part of a parish or extra-parochial place, may provide for the transfer thereof to a different diocese.

Where after the passing of this Act it is proposed by a scheme under section twenty-six of the Pluralities Act, 1838, that a part

of a parish or an extra-parochial place in any diocese should be transferred to another diocese, such scheme may be consented to in writing by the bishop of the other diocese, and (if the two dioceses are not in the same province) may be approved by the archbishop of the province in which the said other diocese is situate; and upon such consent, or such consent and approval, being given, the scheme may be dealt with and brought into effect by Order in Council in manner provided by the said section, and such Order shall be registered in the registry of both dioceses.

Any Order in Council made under the said section before the passing of this Act which would have been valid if made after the passing of this Act shall be deemed to have been validly made, and to have had full effect as from the date thereof.

In this Act the expression "part of a parish" includes any such tithing, hamlet, chapelry, place, or district as is mentioned in the said section, and the word "bishop" includes, as respects his own diocese, an archbishop.

Construction and short title.

2. This Act shall be construed together with section twenty-six of the Pluralities Act, 1838.

The Act of the session of the first and second years of the reign of Her present Majesty, chapter one hundred and six, intituled "An Act to abridge the holding of benefices in plurality, and to "make better provision for the residence of the clergy," is in this Act referred to and may be cited as the Pluralities Act, 1838.

This Act and the Pluralities Act, 1838, may be cited together as the Pluralities Acts, 1838 and 1887, and this Act may be cited separately as the Pluralities Act, 1887.

CHAPTER 69.

An Act to amend the Conveyancing (Scotland) Act, 1874, and the Conveyancing (Scotland) Act (1874) Amendment Act, 1879. [16th September 1887.]

37 & 38 Vict. c. 94. 42 & 43 Vict. c. 40.

WHEREAS it is expedient to explain and amend the Conveyancing (Scotland) Act, 1874, and the Conveyancing (Scotland) Act (1874) Amendment Act, 1879:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

Limitation of liability of trustees for casualties.

1. Where by a trust disposition and settlement, or other mortis causâ writing, any heritable estate is conveyed to trustees for behoof of, or with directions to convey the same to, the heir of the testator, whether forthwith or after the expiration of any period of time not exceeding twenty-five years, or by virtue of which the heir of the testator has the ultimate beneficial interest in such estate, the trustees under such trust disposition and settlement, or other mortis causâ writing, shall not, upon their entering, or by reason of their having prior to the date of this Act entered, with the superior, by

infeftment or otherwise, be liable for any other or different casualty than would have been payable by the heir if he had taken the estate by succession to the testator without the same having been conveyed to trustees; and the heir upon thereafter entering with the superior, by infeftment or otherwise, shall not be liable for any further casualty in respect of his entry, but whether the heir shall have been entered or not, another casualty shall become exigible upon his death in the same manner as if he had been duly entered with the superior.

Section three of 42 & 43 Vict. c. 40. applicable to poindings of ground.

2. Notwithstanding anything contained in the Bankruptcy (Scotland) Act, 1856, the provisions of section three of the Conveyancing (Scotland) Act (1874) Amendment Act, 1879, shall be applicable to all poindings of the ground by which movables forming part of or belonging to a bankrupt estate, whether administered in Scotland or furth thereof, are sought to be attached or affected, and that whether the debts or securities in respect of which such poindings of the ground shall be brought shall have been constituted or granted by the bankrupt, or by any ancestor or predecessor of the bankrupt, or by any other person.

Novodamus not challengeable because lands not resigned into superior's hands.

3. It shall not be competent to object to the validity of any charter of novodamus, whether granted prior to or after the passing of this Act, on account of the lands therein contained not having previously, and in order to the granting thereof, been resigned into the hands of the superior.

Decree of irritancy not final till extract recorded.

4. No decree of declarator of irritancy at the instance of a superior against his vassal *ob non solutum canonem* obtained after the passing of this Act shall be deemed to be final until an extract thereof shall have been recorded in the appropriate register of sasines.

Letters of administration of will, &c. equivalent to will for authorization of notary to expede instrument.

5. The production to any notary public of letters of administration of the will or other testamentary settlement of a person deceased issued by any Court of Probate in England or in Ireland, or in any British colony or dependency, or of an exemplification of such letters of administration, shall for the purpose of expeding a notarial instrument, or otherwise completing a title to any estate in land or to any heritable security, be held to be equivalent to and as effectual as the production to such notary of the will or settlement itself, or of an extract thereof from the books of Council and Session; and it shall not be competent to institute any challenge of any notarial instrument in respect of the letters of administration or exemplification thereof having been used as the warrant for expeding the same prior to the commencement of this Act.

Short title.

6. This Act may be cited for all purposes as the Conveyancing (Scotland) Acts (1874 and 1879) Amendment Act, 1887.

CHAPTER 70.

An Act to amend the Appellate Jurisdiction Act, 1876.

[16th September 1887.]

WHEREAS it is expedient to amend the Appellate Jurisdiction Act, 1876. 39 & 40 Vict. c. 59.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Lord of Appeal may take his seat during prorogation.

1. Whereas it is expedient that any Lord of Appeal, as defined by the Appellate Jurisdiction Act, 1876, notwithstanding that he may not be a Lord of Appeal in Ordinary within the meaning of that Act, should be empowered to take his seat and the oaths at the sittings of the House of Lords for hearing and determining appeals during the prorogation of Parliament: Be it enacted that, notwithstanding anything in the eighth section of the said Act contained, every Lord of Appeal shall be empowered to take his seat and the oaths at any such sitting of the House of Lords during prorogation.

Retired Lord of Appeal in Ordinary may sit in House of Lords.

2. The sixth section of the Appellate Jurisdiction Act, 1876, shall be construed and take effect, as well in respect of any Lord of Appeal in Ordinary heretofore appointed under that Act, as of any such Lord hereafter appointed, so as to entitle any person so appointed to sit and vote as a member of the House of Lords during his life as fully as if the words "during the time that he continues "in his office as a Lord of Appeal in Ordinary, and no longer" had been omitted from the said section.

Amendment of 3 & 4 Will. 4. c. 41.

3. The Judicial Committee of the Privy Council as formed under the provisions of the first section of the Act of the third and fourth William the Fourth, chapter forty-one, intituled "An Act "for the better administration of Justice in His Majesty's Privy "Council," shall include such members of Her Majesty's Privy Council as are for the time being holding or have held any of the offices in the Appellate Jurisdiction Act, 1876, and this Act, described as high judicial offices.

Remuneration in Judicial Committee.

4. Any person who shall in virtue of the thirtieth section of the Act of the third and fourth William the Fourth, chapter forty-one, attend the sittings of the Judicial Committee of the Privy Council, shall be deemed to be included as a member of the said Committee for all purposes, and shall, if there be only one such person, be entitled to receive the whole amount of the sums by the said section provided, that is to say, eight hundred pounds for every year during which he shall so attend; but if there shall at any time be two such persons, they shall severally be entitled to the sums provided in the said section.

Amendment of 39 & 40 Vict. c. 59. s. 25.

5. The expression "high judicial office" as defined in the twenty-fifth section of the Appellate Jurisdiction Act, 1876, shall be deemed to include the office of a Lord of Appeal in Ordinary

and the office of a member of the Judicial Committee of the Privy Council.

Short title.

6. This Act may be cited as the Appellate Jurisdiction Act, 1887.

CHAPTER 71.

An Act to consolidate the Law relating to Coroners.

[16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as the Coroners Act, 1887.

Extent of Act.

2. This Act shall not apply to Scotland or Ireland.

PART I.

LAW OF CORONERS.

Inquest.

Summoning and swearing of jury by coroner.

3.—(1.) Where a coroner is informed that the dead body of a person is lying within his jurisdiction, and there is reasonable cause to suspect that such person has died either a violent or an unnatural death, or has died a sudden death of which the cause is unknown, or that such person has died in prison, or in such place or under such circumstances as to require an inquest in pursuance of any Act, the coroner, whether the cause of death arose within his jurisdiction or not, shall, as soon as practicable, issue his warrant for summoning not less than twelve nor more than twenty-three good and lawful men to appear before him at a specified time and place, there to inquire as jurors touching the death of such person as aforesaid.

(2.) Where an inquest is held on the body of a prisoner who dies within a prison, an officer of the prison or a prisoner therein or a person engaged in any sort of trade or dealing with the prison shall not be a juror on such inquest.

(3.) When not less than twelve jurors are assembled they shall be sworn by or before the coroner diligently to inquire touching the death of the person on whose body the inquest is about to be held, and a true verdict to give according to the evidence.

Proceedings at inquest—evidence and inquisition.

4.—(1.) The coroner and jury shall, at the first sitting of the inquest, view the body, and the coroner shall examine on oath touching the death all persons who tender their evidence respecting

the facts and all persons having knowledge of the facts whom he thinks it expedient to examine.

(2.) It shall be the duty of the coroner in a case of murder or manslaughter to put into writing the statement on oath of those who know the facts and circumstances of the case, or so much of such statement as is material, and any such deposition shall be signed by the witness and also by the coroner.

(3.) After viewing the body and hearing the evidence the jury shall give their verdict, and certify it by an inquisition in writing, setting forth, so far as such particulars have been proved to them, who the deceased was, and how, when, and where the deceased came by his death, and if he came by his death by murder or manslaughter, the persons, if any, whom the jury find to have been guilty of such murder or manslaughter, or of being accessories before the fact to such murder.

(4.) They shall also inquire of and find the particulars for the time being required by the Registration Acts to be registered concerning the death.

(5.) In case twelve at least of the jury do not agree on a verdict, the coroner may adjourn the inquest to the next sessions of oyer and terminer or gaol delivery held for the county or place in which the inquest is held, and if after the jury have heard the charge of the judge or commissioner holding such sessions, twelve of them fail to agree on a verdict, the jury may be discharged by such judge or commissioner without giving a verdict.

Proceedings upon inquisition charging person with murder or manslaughter.

5.—(1.) Where a coroner's inquisition charges a person with the offence of murder or of manslaughter, or of being accessory before the fact to a murder, (which latter offence is in this Act included in the expression "murder,") the coroner shall issue his warrant for arresting or detaining such person (if such warrant has not previously been issued) and shall bind by recognizance all such persons examined before him as know or declare anything material touching the said offence to appear at the next court of oyer and terminer or gaol delivery at which the trial is to be, then and there to prosecute or give evidence against the person so charged.

(2.) Where the offence is manslaughter, the coroner may, if he thinks fit, accept bail by recognizance with sufficient sureties for the appearance of the person charged at the next court of oyer and terminer or gaol delivery at which the trial is to be, and thereupon such person if in the custody of an officer of the coroner's court or under a warrant of commitment issued by such coroner shall be discharged therefrom.

(3.) The coroner shall deliver the inquisition, deposition, and recognizances, with a certificate under his hand that the same have been taken before him, to the proper officer of the court in which the trial is to be, before or at the opening of the court.

Ordering of coroner to hold inquest.

6.—(1.) Where Her Majesty's High Court of Justice, upon application made by or under the authority of the Attorney General, is satisfied either—

(*a.*) that a coroner refuses or neglects to hold an inquest which ought to be held; or

(*b.*) where an inquest has been held by a coroner that by reason of fraud, rejection of evidence, irregularity of proceedings, insufficiency of inquiry, or otherwise, it is necessary or desirable, in the interests of justice, that another inquest should be held,

the court may order an inquest to be held touching the said death, and may, if the court think it just, order the said coroner to pay such costs of and incidental to the application as to the court may seem just, and where an inquest has been already held may quash the inquisition on that inquest.

(2.) The court may order that such inquest shall be held either by the said coroner, or if the said coroner is a coroner for a county, by any other coroner for the county, or if he is a coroner of a borough or for a franchise then by a coroner for the county in which such borough or franchise is situate, or for a county to which it adjoins, and the coroner ordered to hold the inquest shall for that purpose have the same powers and jurisdiction as, and be deemed to be, the said coroner.

(3.) Upon any such inquest, if the case be one of death, it shall not be necessary, unless the court otherwise order, to view the body, but save as aforesaid the inquest shall be held in like manner in all respects as any other inquest under this Act.

(4.) Any power vested by this section in Her Majesty's High Court of Justice may, subject to any rules of court made in pursuance of the Supreme Court of Judicature Act, 1875, and the Acts amending the same, be exercised by any judge of that court.

38 & 39 Vict. c. 77.

Local jurisdiction of coroner.

7.—(1.) The coroner only within whose jurisdiction the body of a person upon whose death an inquest ought to be holden is lying shall hold the inquest, and where a body is found dead in the sea, or any creek, river, or navigable canal within the flowing of the sea where there is no deputy coroner for the jurisdiction of the Admiralty of England the inquest shall be held only by the coroner having jurisdiction in the place where the body is first brought to land.

(2.) In a borough with a separate court of quarter sessions, no coroner, save as is otherwise provided by this Act, shall hold an inquest belonging to the office of coroner, except the coroner of the borough, or a coroner or deputy coroner for the jurisdiction of the Admiralty of England.

(3.) In a borough which has not a separate court of quarter sessions no coroner, save as is otherwise provided by this Act, shall hold an inquest belonging to the office of coroner except a coroner for the county, or a coroner or a deputy coroner for the jurisdiction of the Admiralty of England.

Liabilities of Coroner.

Removal and punishment of coroner.

8.—(1.) The Lord Chancellor may, if he thinks fit, remove any coroner from his office for inability or misbehaviour in the discharge of his duty.

(2.) A coroner who is guilty of extortion or of corruption or of wilful neglect of his duty or of misbehaviour in the discharge of his duty shall be guilty of a misdemeanor, and in addition to any

other punishment may, unless his office of coroner is annexed to any other office, be adjudged by the court before whom he is so convicted to be removed from his office, and to be disqualified for acting as coroner, and if he is a coroner for a county, a writ shall issue for an election of another coroner, and if he is a coroner of a borough, the council of the borough, and if he is a coroner for a franchise the lord or other person or persons entitled to the appointment of the coroner, shall forthwith proceed to appoint another coroner as in the case of any other vacancy.

Fine on coroner for neglect as to inquisition, depositions, and recognizances, &c.

9. If a coroner fails to comply with the provisions of this Act with respect to the delivery of the inquisition, or to the taking and delivery of the depositions and recognizances, in the case of murder or manslaughter, the court to whose officer the inquisition, depositions, and recognizances ought to have been delivered may, upon proof of the said non-compliance, in a summary manner, impose such fine upon the coroner as to the court seems meet.

Coroner not to act as solicitor and as coroner in same case.

10.—(1.) A coroner shall not by himself or his partner, directly or indirectly, act as solicitor, in the prosecution or defence of a person for an offence for which such person is charged by an inquisition taken before him as coroner, whether such person is tried on that inquisition or on any bill of indictment found by a grand jury.

(2.) If a coroner acts in contravention of this section, he shall be deemed guilty of misbehaviour in the discharge of his duty.

(3.) Moreover, the court before whom such person is tried may impose on a coroner appearing to the court to act in contravention of this section such fine not exceeding fifty pounds as to the court seems fit.

Appointment and Payment of County Coroner and Deputy.

Election of county coroner.

11.—(1.) A coroner for a county shall continue to be elected, until Parliament otherwise directs, by the freeholders of that county, and in the case of a county divided into districts, by the persons residing within that district who are at the time of election qualified to vote at an election for coroners for the county.

(2.) A writ de coronatore eligendo for the election of a coroner for a county shall be issued as heretofore directed to the sheriff of the county, and shall be in such form as the Lord Chancellor from time to time determines.

(3.) The sheriff shall, not less than seven nor more than fourteen days after the receipt of the writ, hold an election of a coroner in pursuance thereof and shall make a return to the writ, naming the person elected coroner.

Qualification of county coroner.

12. Every coroner for a county shall be a fit person having land in fee sufficient in the same county whereof he may answer to all manner of people.

Appointment of deputy coroner in county.

13.—(1.) A coroner for a county shall from time to time appoint by writing under his hand a fit person approved by the Lord Chancellor to be his deputy, and may at any time revoke such appointment.

(2.) A deputy shall not act for a coroner except during the illness of such coroner or during his absence from any lawful or reasonable cause, or except on any inquest which he is disqualified, under this Act, for holding.

(3.) A duplicate of every appointment of a deputy shall be sent to the clerk of the peace of the county and kept by him amongst the records thereof.

(4.) For the purpose of an inquest or other act which a deputy coroner is authorised to hold or do the deputy coroner shall be deemed to be the coroner whose deputy he is, and have the same jurisdiction, and powers, and be subject to the same obligations, liabilities, and disqualifications as that coroner, and he shall generally be subject to the provisions of this Act and to the law relating to coroners, in like manner as that coroner.

Proceedings for election of county coroner.

14.—(1.) The sheriff, in accordance with the rules contained in the First Schedule to this Act, shall hold a court for the election of a coroner for a county, and in case of a poll being demanded, adjourn the court and take a poll, and for that purpose may appoint such officers and erect such booths as are authorised by the said rules, and the said rules shall be duly observed.

(2.) Any such poll shall be taken at the place at which the court for the election is held, and at such other places as are for the time being appointed by the local authority of the county.

(3.) All reasonable costs, charges, and expenses which the sheriff or his deputy expends or is liable to in and about the providing of poll-books, booths, and clerks (such clerks to be paid not more than one guinea each) for the purpose of taking the poll at any such election shall be paid by the several candidates at such election in equal proportions.

(4.) Any person who wilfully and falsely takes any oath or affirmation appointed by the rules in the schedule to this Act to be taken shall be guilty of perjury.

Payment of coroners when they act for sheriffs.

15. Where any writ, process, or extent whatsoever is directed to and executed by a coroner for a county in the place of a sheriff, the coroner shall, in addition to any salary to which he is entitled, receive the same poundage fees or other compensation or reward for executing the writ, process, or extent, and have the same right to retain, and all other remedies for the recovery of the fees, compensation, or reward as the sheriff would have been entitled to and had in whose place such coroner was substituted; and if the fees or compensation payable to the sheriffs are at any time after the passing of this Act increased by Act of Parliament or otherwise, the coroner shall be entitled to such increased fees or compensation.

Fees on recognizances

16. Where a coroner admits a person charged with manslaughter to bail, he shall be entitled to the like fee as a clerk to a justice of the peace is entitled to on the admission to bail of a person so charged.

Prohibition on coroner taking fee.

17. Save as is authorised by this or any other Act, a coroner shall not take any fee or remuneration in respect of anything done by him in the execution of his office.

PART II.

SUPPLEMENTAL.

Procedure.

Enactments with respect to procedure at inquests.

18. The following enactments shall be made with respect to procedure at coroner's inquests:

(1.) The inquisition shall be under the hands, and in the case of murder or manslaughter also under the seals, of the jurors who concur in the verdict, and of the coroner:

(2.) An inquisition need not, except in the case of murder or manslaughter, be on parchment, and may be written or printed, or partly written and partly printed, and may be in the form contained in the Second Schedule to this Act, or to the like effect or in such other form as the Lord Chancellor from time to time prescribes, or to the like effect, and the statements therein may be made in concise and ordinary language.

(3.) The coroner after the termination of an inquest on any death shall send to the registrar of deaths whose duty it is by law to register the death such certificate of the finding of the jury and within such time as is required by the Registration Acts.

(4.) The coroner shall cause recognizances taken before him from a person charged by an inquisition with manslaughter to be taken, so far as circumstances admit, in one of the forms contained in the Second Schedule to this Act or in such other forms as the Lord Chancellor from time to time prescribes, and shall give notice of the recognizance to every person bound thereby.

(5.) A person charged by an inquisition with murder or manslaughter shall be entitled to have from the person having for the time being the custody of the inquisition or of the depositions of the witnesses at the inquest, copies thereof on payment of a reasonable sum for the same, not exceeding the rate of three halfpence for every folio of ninety words.

(6.) A coroner, upon holding an inquest upon any body, may, if he thinks fit after view of the body, by order under his hand, authorise the body to be buried before verdict and before registry of the death, and shall deliver such order to the relative or other person to whom the same is required by the Registration Acts to be delivered; but, except upon holding an inquest, no order, warrant, or other document for the burial of a body shall be given by the coroner.

Attendance of witnesses and jurors.

19.—(1.) Where a person duly summoned as a juror at an inquest does not, after being openly called three times, appear to such summons, or appearing, refuses without reasonable excuse to serve as a juror, the coroner may impose on such person a fine not exceeding five pounds.

(2.) Where a person duly summoned to give evidence at an inquest does not, after being openly called three times, appear to such summons, or appearing, refuses without lawful excuse to answer a question put to him, the coroner may impose on such person a fine not exceeding forty shillings.

(3.) Any power by this Act vested in a coroner of imposing a fine on a juror or witness, shall be deemed to be in addition to and not in derogation of any power the coroner may possess independently of this Act, for compelling any person to appear and give evidence before him on any inquest or other proceeding, or for punishing any person for contempt of court in not so appearing and giving evidence with this qualification, that a person shall not be fined by the coroner under this Act, and also be punished under the power of a coroner independently of this Act.

(4.) Where a coroner imposes a fine upon a person, he shall sign a certificate describing such person and stating the amount of the fine imposed and the cause of the fine, and shall send such certificate to the clerk of the peace for the county or place in which such person resides on or before the first day of the quarter sessions then next ensuing, and shall, twenty-four hours at the least before that day, cause a copy of such certificate to be served upon the person fined by leaving it at his residence, and the clerk of the peace shall copy every fine so certified on the roll on which fines and forfeitures imposed at the said quarter sessions are copied, and the same shall be estreated, levied, and applied in like manner and subject to the like powers, provisions, and penalties in all respects as if such fine had been part of the fines imposed at the said quarter sessions.

(5.) Where a recognizance is forfeited at an inquest held before a coroner, the coroner shall proceed in like manner under this section as if he had imposed a fine under this section upon the person forfeiting that recognizance, and the provisions of this section shall apply accordingly.

Inquisition to be amended and not quashed for defects.

20.—(1.) If in the opinion of the court having cognizance of the case an inquisition finds sufficiently the matters required to be found thereby, and where it charges a person with murder or manslaughter sufficiently designates that person and the offence charged, the inquisition shall not be quashed for any defects, and the court may order the proper officer of the court to amend any defect in the inquisition, and any variance occurring between the inquisition and the evidence offered in proof thereof, if the court are of opinion that such defect or variance is not material to the merits of the case, and that the defendant or person traversing the inquisition cannot be prejudiced by the amendment in his defence or traverse on the merits, and the court may order the amendment on such terms as to postponing the trial to be had before the same or another jury as to the court may seem reasonable, and after the amendment the trial shall proceed in like manner, and the inquisition, verdict, and judgment, shall be of the same effect, and the record shall be drawn up in the same form, in all respects as if the inquisition had originally been in the form in which it stands when so amended.

(2.) For the purpose of any such amendment, the court may respite any of the recognizances taken before the coroner, and the persons bound by such recognizances shall be bound without entering into any fresh recognizances to appear and prosecute, give evidence, or be tried at the time and place to which the trial is

postponed, as if they were originally bound by their recognizances to appear and prosecute, give evidence, or be tried at that time and place.

Medical Witnesses and Post-mortem Examinations.

Power of coroner to summon medical witnesses and to direct performance of post-mortem examination.

21.—(1.) Where it appears to the coroner that the deceased was attended at his death or during his last illness by any legally qualified medical practitioner, the coroner may summon such practitioner as a witness; but if it appears to the coroner that the deceased person was not attended at his death or during his last illness by any legally qualified medical practitioner, the coroner may summon any legally qualified medical practitioner who is at the time in actual practice in or near the place where the death happened, and any such medical witness as is summoned in pursuance of this section, may be asked to give evidence as to how, in his opinion, the deceased came to his death.

(2.) The coroner may, either in his summons for the attendance of such medical witness or at any time between the issuing of that summons and the end of the inquest, direct such medical witness to make a post-mortem examination of the body of the deceased, with or without an analysis of the contents of the stomach or intestines.

Provided that where a person states upon oath before the coroner that in his belief the death of the deceased was caused partly or entirely by the improper or negligent treatment of a medical practitioner or other person, such medical practitioner or other person shall not be allowed to perform or assist at the post-mortem examination of the deceased.

(3.) If a majority of the jury sitting at an inquest are of opinion that the cause of death has not been satisfactorily explained by the evidence of the medical practitioner or other witnesses brought before them, they may require the coroner in writing to summon as a witness some other legally qualified medical practitioner named by them, and further to direct a post-mortem examination of the deceased, with or without an analysis of the contents of the stomach or intestines, to be made by such last-mentioned practitioner, and that whether such examination has been previously made or not, and the coroner shall comply with such requisition, and in default shall be guilty of a misdemeanor.

Fees to medical witnesses.

22. A legally qualified medical practitioner who has attended at a coroner's inquest in obedience to a summons of the coroner under this Act shall be entitled to receive such remuneration as follows; that is to say,

(*a.*) For attending to give evidence at any inquest whereat no post-mortem examination has been made by such practitioner, one guinea; and

(*b.*) For making a post-mortem examination of the body of the deceased, with or without an analysis of the contents of the stomach or intestines, and for attending to give evidence thereon, two guineas:

Provided that—

(1.) Any fee or remuneration shall not be paid to a medical practitioner for the performance of a post-mortem examination instituted without the previous direction of the coroner:

(2.) Where an inquest is held on the body of a person who has died in a county or other lunatic asylum, or in a public hospital, infirmary, or other medical institution, or in a building or place belonging thereto, or used for the reception of the patients thereof, whether the same be supported by endowments or by voluntary subscriptions, the medical officer, whose duty it may have been to attend the deceased person as a medical officer of such institution as aforesaid, shall not be entitled to such fee or remuneration.

Penalty on medical practitioner for neglecting to attend.

23. Where a medical practitioner fails to obey a summons of a coroner issued in pursuance of this Act, he shall, unless he shows a good and sufficient cause for not having obeyed the same, be liable on summary conviction on the prosecution of the coroner or of any two of the jury, to a fine not exceeding five pounds.

Removal of body for post-mortem examination.

24. Where a place has been provided by a sanitary authority or nuisance authority for the reception of dead bodies during the time required to conduct a post-mortem examination, the coroner may order the removal of a dead body to and from such place for carrying out such examination, and the cost of such removal shall be deemed to be part of the expenses incurred in and about the holding of an inquest.

Expenses and Returns of Inquests.

Schedule of fees and disbursements payable on holding inquest.

25. The local authority for a county or borough from time to time may make, and when made may alter and vary a schedule of fees, allowances, and disbursements which on the holding of an inquest may lawfully be paid and made by the coroner holding such inquest (other than the fees payable to medical witnesses in pursuance of this Act), and the local authority shall cause a copy of every such schedule to be deposited with the clerk of the peace of the county or with the town clerk of the borough, and one other copy thereof to be delivered to every coroner concerned.

Payment of expenses by coroner.

26. A coroner holding an inquest shall immediately after the termination of the proceedings pay the fees of every medical witness not exceeding the fees fixed by this Act, and all expenses reasonably incurred in and about the holding thereof, not exceeding the sums set forth in the schedule of fees for the time being in force under this Act, and the sums so paid shall be repaid to the coroner in manner provided by this Act.

Coroners to lay their accounts before the local authority.

27.—(1.) Every coroner shall, within four months after holding an inquest, cause a full and true account of all sums paid by him under this Act to be laid before the local authority of the county or borough by whom the sums are to be reimbursed to him.

(2.) Every account shall be accompanied by such vouchers as under the circumstances may to the local authority seem reasonable, and the local authority may, if they think fit, examine the said coroner on oath as to the account, and on being satisfied of the correctness thereof, the local authority shall order their treasurer to pay to the coroner the sum due to him on such account, with the addition, in the case of a coroner of a borough, of six shillings and eight pence for each inquest; and the treasurer shall pay the same out of the local rate, without any abatement or deduction whatever, and shall be allowed the same on passing his accounts.

Coroners to make yearly returns to Secretary of State.

28. Every coroner of a borough shall on or before the first day of February in every year make and transmit to a Secretary of State a return in writing, in such form and containing such particulars as the Secretary of State from time to time directs, of all cases in which an inquest has been held by him, or by some person in lieu of him, during the year ending on the thirty-first day of December immediately preceding.

Coroner of the Queen's Household.

Appointment and jurisdiction of the coroner of the Queen's household.

29.—(1.) The coroner of Her Majesty the Queen's household shall continue to be appointed by the Lord Steward for the time being of the Queen's household.

(2.) The coroner of the Queen's household shall have exclusive jurisdiction in respect of inquests on persons whose bodies are lying within the limits of any of the Queen's palaces or within the limits of any other house where Her Majesty is then demurrant and abiding in her own royal person, notwithstanding the subsequent removal of Her Majesty from such palace or house.

(3.) The jurors on an inquest held by the coroner of the Queen's household, shall consist of officers of the Queen's household, to be returned by such officer of the Queen's household as may be directed to summon the same by the warrant of the said coroner.

(4.) The limits of the said palace or house shall be deemed to extend to any courts, gardens, or other places within the curtilage of such palace or house but not further, and where a body is lying dead in any place beyond those limits, the coroner of the Queen's household shall not have jurisdiction to hold an inquest on such body, and the coroner of the county or borough shall have jurisdiction to hold that inquest in the same manner as if that place were not within the verge.

(5.) Where the inquisition charges a person with murder or manslaughter, the coroner of the Queen's household shall deliver the inquisition, depositions, and recognizances to the Lord Steward of the Queen's household, or in his absence, to the treasurer and comptroller of the Queen's household, and the recognizances shall be taken for the appearance of the persons bound by them before the said Lord Steward, or in his absence before the said treasurer and comptroller.

(6.) All other inquisitions, depositions, and recognizances, shall be delivered to the Lord Steward of the Queen's household to be filed among the records of his office.

(7.) The coroner of the Queen's household shall make his declaration of office before the Lord Steward of the Queen's household, and shall reside in one of the Queen's palaces, or in such other convenient place as may from time to time be allowed by the Lord Steward of the Queen's household.

(8.) Save as is in this section specially provided, the coroner of the Queen's household shall, within the said limits have the same jurisdiction and powers, be subject to the same obligations, liabilities, and disqualifications, and generally to the provisions of this Act and to the law relating to coroners in like manner as any other franchise coroner.

(9.) The Lord Steward of the Queen's household or the treasurer and comptroller of the Queen's household shall not have any jurisdiction to inquire of, try, hear, or determine, any offence committed beyond the limits aforesaid, or to array, try, or give judgment upon any person charged by any inquisition found before a coroner for any place beyond the limits aforesaid, and every such offence shall be inquired of, tried, heard, and determined, and every such person shall be arraigned, tried, and have judgment according to the ordinary course of law.

Franchise Coroners.

Saving for remuneration of franchise coroners.

30.—(1.) Where a franchise coroner is, at the passing of this Act, paid a salary out of the local rate, the provisions of this Act with respect to the expenses of inquests, shall apply as if such coroner were a coroner for a county.

(2.) Nothing in this Act shall affect the remuneration to which a franchise coroner who is not at the passing of this Act paid a salary out of the local rate is entitled at the passing of this Act, and every such coroner shall continue to be entitled to receive the same fees, allowances, and remuneration as he would have been entitled to if this Act had not passed.

(3.) Nothing in this Act shall affect the mode in which a franchise coroner is appointed, or is, otherwise than is provided by this Act, removed.

(4.) Subject as aforesaid, the provisions of this Act shall apply to a franchise coroner, except those provisions in which a coroner for a county or a coroner of a borough is expressly named.

Provisions as to expenses of inquests to extend to city of London.

31. The provisions of this Act with respect to the expenses of inquests shall apply to the city of London and the borough of Southwark.

Payment of travelling expenses of coroner in Cinque Ports where inquisition is not taken.

32. Where a coroner appointed and acting for the jurisdiction of the Cinque Ports who is not paid a salary out of the local rate in lieu of allowances deems it unnecessary to hold and declines to hold an inquest, and shows to the justices in general or quarter sessions assembled that he had nevertheless been compelled in the discharge of his office to travel from his usual place of abode for the purpose of taking that inquest, such justices may order the payment to that coroner of the same allowances for travelling as might be allowed in any other case.

Savings and Miscellaneous.

Saving as to borough coroners. 45 & 46 Vict. c. 50.

33. Nothing in this Act shall affect the application to coroners of a borough of the provisions of the Municipal Corporations Act, 1882, with respect to the appointment, qualification, tenure of office, and payment of a coroner of a borough, and the appointment of a deputy by such coroner.

Saving clause as to official coroners.

34. Nothing in this Act shall prejudice the jurisdiction of a judge exercising the jurisdiction of a coroner by virtue of his office, and such judge may, notwithstanding the passing of this Act, exercise any jurisdiction, statutable or otherwise, previously exerciseable by him, in the same manner as if this Act had not passed.

Saving of jurisdiction as to removal of coroner, or otherwise in relation to a coroner.

35. Nothing in this Act shall prejudice the jurisdiction of the Lord Chancellor or the High Court of Justice in relation to removing a coroner otherwise than in manner provided by this Act, or in any manner prejudice or affect the jurisdiction of the High Court of Justice or of any judge thereof in relation to or over a coroner or his duties.

Inquest on treasure trove.

36. A coroner shall continue as heretofore to have jurisdiction to inquire of treasure that is found, who were the finders, and who is suspected thereof, and the provisions of this Act shall, so far as is consistent with the tenor thereof, apply to every such inquest.

Effect of Schedules.

37. The Schedules to this Act shall be construed and have effect as part of this Act, and the forms given in any of those schedules, or such other forms as the Lord Chancellor from time to time directs, may be used in all matters to which they apply, and when so used shall be sufficient in law.

Definitions.

Construction of Act with respect to counties.

38. In this Act the expression "county," unless there is something inconsistent in the context, does not include a county of a city or a county of a town, but includes any division or liberty of a county which has a separate court of quarter sessions for which a separate coroner has customarily been elected, but the whole of Yorkshire and the whole of Lincolnshire shall respectively be a county for the purposes of this Act.

The counties in Wales, and the counties of Durham and Chester, and the liberty of the Isle of Ely shall, save as is otherwise expressly provided by this Act, be, for the purposes of this Act and any other Act relating to coroners, subject to the same provisions as the other counties of England, and the coroners thereof shall have the same jurisdiction as other coroners in England; and for the purpose of the provisions of any Act with respect to coroners districts, a ward in the county of Durham shall be deemed to be a coroner's district in that county.

Provision for application of Act to county of Lancaster.

39. This Act and any other Act relating to coroners shall apply to the county of Lancaster in like manner as it applies to the other counties of England, subject as follows:

(1.) The provisions of this Act with respect to the Lord Chancellor shall be construed in the case of the said county to mean

the Chancellor of the Duchy and county palatine of Lancaster, and all writs relating to coroners issued by that Chancellor, shall be issued by such persons and in such manner as the Chancellor and the council of the Duchy of Lancaster from time to time direct:

(2.) An Order in Council with respect to coroners districts in the county of Lancaster shall be made on the recommendation of the Chancellor and council of the Duchy of Lancaster.

Provisions as to detached parts of counties.

40.—(1.) For the purpose of holding coroners inquests every detached part of a county shall be deemed to be within the county by which it is wholly surrounded, or where it is partly surrounded by two or more counties within the county with which it has the longest common boundary.

(2.) The treasurer of every county shall keep an account of all expenses occasioned to such county by any inquest in or in respect to any such detached part of any other county, and shall twice in every year, send a copy of such account to the treasurer of the other county to which such detached part belongs, and the last-mentioned treasurer shall, out of the moneys in his hand as such treasurer, pay to the treasurer sending the account the sum appearing thereby to be due, together with all reasonable charges for making and sending the account.

(3.) Any difference which may arise concerning the said account, if not adjusted by agreement, shall be determined by an arbitrator, who shall be a barrister-at-law nominated on the application of either party by one of the justices of assize of the last preceding circuit or of the next succeeding circuit. Such arbitrator may adjourn the hearing from time to time, and require all such information from either party as appears to him necessary, and his award shall be final. He shall also assess the costs of the arbitration and direct by whom and out of what fund the same shall be paid.

Definition of "local authority" and "local rate."

41. For the purposes of this Act—

(*a.*) The local authority of a county shall be the court of quarter sessions of the county; and

(*b.*) The local authority of a borough shall be the mayor, aldermen, and burgesses of the borough acting by the council; and

(*c.*) The local rate shall be, in the case of a county, the county rate, or rate in the nature of a county rate, and, in the case of a borough, the borough fund or borough rate; and

(*d.*) In Lincolnshire and Yorkshire respectively the justices in gaol sessions shall be the local authority, and the clerk to such justices shall act as clerk of the peace, and the rate in the nature of a county rate levied by those sessions shall be the local rate.

Definitions.

42. In this Act, if not inconsistent with the context, the following terms and expressions have the meanings herein-after respectively assigned to them:

"Quarter sessions."

The expression "quarter sessions" includes general sessions.

"Borough." 45 & 46 Vict. c. 50.

The expression "borough" means any place for the time being subject to the Municipal Corporations Act, 1882, and the Acts amending the same.

The expression "franchise coroner" means any of the following coroners, that is to say, the coroner of the Queen's household, a coroner or deputy coroner for the jurisdiction of the Admiralty, a coroner appointed by Her Majesty the Queen in right of Her Duchy of Lancaster, and a coroner appointed for a town corporate, liberty, lordship, manor, university, or other place, the coroner for which has heretofore been appointed by any lord, or otherwise than by election of the freeholders of a county, or of any part of a county, or by the council of a borough, and the expression "franchise" means the area within which the franchise coroner exercises jurisdiction. "Franchise coroner."

The expression "Secretary of State" means one of Her Majesty's Principal Secretaries of State. "Secretary of State."

The expression "murder" includes the offence of being an accessory before the fact to a murder. "Murder."

The expression "parish" means a parish, township, or place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed. "Parish."

The expression "the Lord Chancellor" means the Lord High Chancellor of Great Britain.

The expression "Registration Acts" means the Acts for the time being in force relating to the registration of deaths, inclusive of any enactment amending the same.

Temporary Provisions and Repeal.

43. Nothing in this Act shall affect the law respecting the salaries of coroners for counties, or the division of a county into coroners' districts, or the rights and duties of coroners as respects such districts. Saving as to coroners' salaries and districts.

44. A coroner shall not take pleas of the Crown nor hold inquests of royal fish nor of wreck nor of felonies except felonies on inquisitions of death; and he shall not inquire of the goods of such as by the inquest are found guilty of murder or manslaughter, nor cause them to be valued and delivered to the township. Abolition of certain jurisdictions of the coroner.

45. The Acts specified in the Third Schedule to this Act are hereby repealed, from and after the passing of this Act, to the extent specified in the third column of that schedule. Repeal of Acts in schedule.

Provided that—

(1.) A coroner elected before the passing of this Act, shall continue to hold office in like manner as if he had been elected under this Act, and

(2.) Any schedule of fees, allowances, and disbursements made by a local authority for a county or borough before the passing of this Act shall, until a schedule is made in pursuance of this Act, be of the same effect as if the schedule had been made in pursuance of this Act, and

(3.) This repeal shall not affect—

(*a.*) The past operation of any enactment hereby repealed, nor anything duly done or suffered under any enactment hereby repealed; or

(*b.*) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed; or

(*c.*) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or

(*d.*) Any inquest on any death which occurred before the commencement of this Act or an inquisition found thereon, or any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid; and any such inquest, investigation, legal proceeding, and remedy, and the trial of any such inquisition may be carried on as if this Act had not passed.

(4.) This repeal shall not revive any jurisdiction, office, duty, fee, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, procedure, or other matter or thing not in force or existing at the passing of this Act.

(5.) Save in so far as is inconsistent with this Act, any principle or rule of law, or established jurisdiction, practice, or procedure, or existing usage, franchise, liberty, or custom, shall, notwithstanding the repeal of any enactment by this Act, remain in full force.

SCHEDULES.

Sections 14, 37.

FIRST SCHEDULE.

RULES FOR ELECTION OF CORONER.

(1.) The sheriff shall hold a court for the election at some convenient place appointed by him within the county, or, in a county divided into districts, within the district for which the election is to take place, on such day not less than seven nor more than fourteen days after the receipt of the writ as he appoints.

(2.) If a poll is demanded the sheriff shall adjourn the court to eight o'clock in the morning of the next day but one, unless such next day but one is Saturday or Sunday, and then of the Monday following.

(3.) The sheriff with such others as are deputed by him shall then and there proceed to take a poll in some public place or places, which shall be the place appointed for holding the court for the election, or such other places within the same county or district (as the case may be) as may be from time to time appointed by the quarter sessions, and such poll shall continue for one day only for eight hours, and no poll shall be kept open later than four o'clock in the afternoon.

(4.) The sheriff or sheriff's deputy may, if required by or on behalf of any candidate on or before the day fixed for the election, or if he deem it expedient, cause booths to be erected for taking the poll at the several polling places, and shall cause to be affixed on the most conspicuous part of the booth the names of the parishes to which such booth is allotted.

(5.) Where a booth is allotted to any parish a person shall not be admitted to vote in respect of any property situate in that parish except at that booth.

(6.) Where there is no booth allotted to any parish, a person entitled to vote in respect of property situate therein shall vote at the place at which the court for the election is held.

(7.) The sheriff or such person as he deputes shall appoint such number of clerks as to him may seem meet and convenient for taking the poll, and those clerks shall take the poll in the presence of the sheriff or such person as he deputes, and before they begin to take the poll each clerk shall by the sheriff or such person as he deputes as aforesaid be sworn truly and indifferently to take the poll, and to set down the names of each elector, the place of his residence, and the person for whom he polls, and to poll no elector who is not sworn, if required to be sworn by either of the candidates, which oath the said sheriff or such person as he deputes may administer.

(8.) The sheriff shall appoint for each candidate such one person as is nominated to him by each candidate to be an inspector of every clerk who is appointed for taking the poll.

(9.) Every elector before he is admitted to poll at an election, shall, if required by or on behalf of any candidate, first take the oath following, which the sheriff or any such sworn clerk as aforesaid may administer, that is to say:—I swear [*or* solemnly declare, *as the case may be*] that I am a freeholder of the county of , and have a freehold estate consisting of , lying at , in the parish of , within the said county, and that such freehold estate has not been granted to me fraudulently or colourably on purpose to qualify me to give my vote at this election, and that the place of my abode is at , [*and if it be a place consisting of more streets or places than one, specifying what street or place,*] that I am twenty-one years of age, as I believe, and that I have not voted before at this election.

(10.) The poll clerks shall at the close of the poll, enclose and seal their several books, and deliver them so enclosed and sealed to the sheriff or sheriff's deputy presiding at the poll, who shall give a receipt for the same.

(11.) Where the deputy receives them, he shall forthwith deliver or transmit them so enclosed and sealed to the sheriff.

(12.) The sheriff shall receive and keep all the poll books unopened until the re-assembling of the court on the day next but one after the close of the poll, unless that day be Sunday, and then on the Monday following, and on that day he shall openly break the seals thereon, and count the votes appearing in the said books, and openly declare the said poll, and make proclamation of the person chosen not later than two o'clock in the afternoon of the said day.

(13.) In these rules the expression "sheriff" includes "under-sheriff."

SECOND SCHEDULE.

FORMS.

Sections 18, 37.

[Form of Declaration of Office of Coroner.]

I solemnly, sincerely, and truly declare and affirm that I will well and truly serve our Sovereign Lady the Queen and her liege people in the office of coroner for this county [*or* borough *or as the case may be*] of , and that I will diligently and truly do everything appertaining to my office after the best of my power for the doing of right, and for the good of the inhabitants within the said county [*or* borough *or as the case may be*].

Form of Oath of Jury.

You shall diligently inquire and a true presentment make of all such matters and things as are here given you in charge on behalf of our Sovereign Lady the Queen, touching the death of *C.D.*, now lying dead, of whose body you shall have the view, and shall without fear or favour, affection, or illwill, a true verdict give according to the evidence and to the best of your skill and knowledge. So help you God.

FORM OF INQUISITION.

Middlesex to wit } AN INQUISITION taken for our Sovereign Lady the Queen at , in the parish of , in the county [*or as the case may be*] of , on the day of , 18 , [and by adjournment on the day of , *or as the case may require*] before *A.B.*, one of the coroners of our Lady the Queen for the said [county, *or, as the case may be*] upon the oath [*or* and affirmation] of [*in the case of murder or manslaughter here insert the names of the jurors*, L.M., N.O., &c. *being*] good and lawful men of the said [county *or, as the case may be*] duly sworn to inquire for our Lady the Queen, on view of the body of *C.D.* [*or* of a person to the jurors unknown] as to his death; and those of the said jurors whose names are hereunto subscribed upon their oaths do say:—

Here set out the circumstances of the death, as, for example:

(*a.*) That the said *C.D.* was found dead on the day of in the year aforesaid at in the county of , [*or set out other place of death*] and

(*b.*) That the cause of his death was that he was thrown by *E.F.* against the ground, whereby the said *C.D.* had a violent concussion of the brain and instantly died [*or set out other cause of death*].

Conclusion. *Here set out the conclusion of the jury as to the death, as, for example:*

Manslaughter or murder. (*c.*) and so do further say, that the said *E.F.* did feloniously kill [*or* feloniously, wilfully, and of malice aforethought murder] the said *C.D.*

By misadventure. *Or*, do further say that the said *E.F.* by misfortune and against his will did kill the said *C.D.*

Justifiable homicide. *Or* do further say that *E.F.* in the defence of himself [and property] did kill the said *C.D.*

Addition for accessory before the fact. *In case of there being an accessory before the fact add:*

And do further say that *K.L.*, before the said murder was committed, did feloniously incite [*or* procure, aid, counsel, and command, *or as the case may be*] the said *E.F.* to commit the said murder.

At end add:

In witness whereof as well the said coroner as the jurors have hereunto subscribed their hands and seals the day and year first above written.

Another example is:

That the said *C.D.* did on the day of fall into a pond of water situate at , by means whereof he died.

Here set out the conclusion of the jury as to the death, as for example:

Unsound mind. And so do further say that the said *C.D.*, not being of sound mind, did kill himself.

For felo de se. *Or* do further say that the said *C.D.* did feloniously kill himself.

Or do further say that by the neglect of *E.F.* to fence the said pond *C.D.* fell therein, and that therefore *E.F.* did feloniously kill the said *C.D.* Manslaughter by neglect.

Or do further say that the said *C.D.* by misadventure fell into the said pond and was killed. By misadventure.

FORM OF RECOGNIZANCE.

to wit. } BE it remembered that on the day of , 18 , each of the following persons, namely, *J.K.* of and *R.S.* of [*insert the names of all bound over*] personally came before me, *A.B.*, one of the coroners of our Lady the Queen for the county [*or, as the case may be*] of and acknowledged to owe to our Sovereign Lady the Queen the sum of pounds to be levied on his goods and lands by way of recognizance to Her Majesty's use if default is made on his part [*or* on the part of *I.K.*] in the conditions following:—

In case of recognizance to appear and give evidence before the coroner, add:

He shall appear personally at the court of the said coroner to be held on the day of next, at in the said county [*or, as the case may be*], for holding an inquest on the view of the body of *C.D.*, there to give evidence of anything he knows touching the death of *C.D.*, and shall not depart the said court without leave.

In case of recognizance to prosecute and give evidence at assizes, add:

He shall appear personally at the next sessions of oyer and terminer or gaol delivery to be holden at , in and for the county of , there to prosecute and give evidence to the jury that try *E.F.* [now in custody for the wilful murder of *C.D.*], upon the inquisition taken before me, the above-named coroner, on view of the body of *C.D.*, and shall not depart the court without leave.

In case of recognizance to appear for trial:

He shall appear at the next sessions of oyer and terminer or gaol delivery to be holden in and for the county of , and there surrender himself into the custody of the keeper of a gaol in which prisoners committed for trial at those sessions are detained, and plead to the inquisition taken before me, the above-named coroner, on view of the body of *C.D.*, whereby a verdict of manslaughter has been found against him, and shall take his trial upon that inquisition, and shall not depart the court without leave.

In every case add at the end:

Then if the above conditions are fulfilled, this recognizance shall be void, but otherwise shall remain in full force.

THIRD SCHEDULE.

ACTS REPEALED.

Sections 37, 45.

NOTE.—This schedule is to be read as referring to the revised edition of the statutes prepared under the direction of the Statute Law Committee in all cases of statutes included in that edition as already published.

The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts, given in that edition.

As respects the two following statutes, that is to say, 12 Edw. 1, the statutes of Wales, c. 5, "of the office of coroner, that is to say, of the pleas of the Crown in Wales," and 34 & 35 Hen. 8. c. 26, "An Act for certain ordinances in the King's Majesty's dominion and principality of Wales," the record edition is referred to.

The repeal by the present Act of a part of a statute set out or referred to in the terms of the translation given in that edition is to operate on the original Latin or Norman-French, of which the translation is set out or referred to, as if the original itself were in like manner set out or referred to.

A description or citation of a portion of a statute is inclusive of the words, section, or other part first and last mentioned, or otherwise referred to as forming the beginning, or as forming the end, of the portion comprised in the description or citation.

Session and Chapter.	Title.	Extent of Repeal.
3 Edw. 1. c. 9. -	The statutes of Westminster the first. Chapter nine; pursuit of felons. Punishment for neglect or corruption in officers.	The whole chapter, so far as relates to coroners.
3 Edw. 1. c. 10. -	The statutes of Westminster the first. Chapter ten; who shall be chosen coroners. Their duty.	The whole chapter.
4 Edw. 1. - -	The office of the coroner -	The whole statute.
12 Edw. 1. c. 5. -	The statutes of Wales. Chapter five; of the office of coroner, that is to say, of the pleas of the Crown in Wales.	The whole chapter.
12 Edw. 1. c. 6. -	The statutes of Wales. Chapter six; the form of the King's writs to be pleaded in Wales.	So much of the chapter as relates to the form of the writ for choosing a coroner.
28 Edw. 1. c. 3. -	Articles upon the charters. Chapter three; of what things only the steward and marshal of the King's House shall hold plea. What coroners shall inquire of the death of a man slain within the verge.	The whole chapter.
1 Edw. 3. stat. 2. c. 17.	Statutes made at Westminster. Statute the first. Indictments shall be taken by Indenture.	The whole chapter so far as it relates to coroners.
14 Edw. 3. stat. 1. c. 8.	Statute the first. Chapter eight; escheators; their number, appointment, continuance in office. Coroners; their sufficiency.	The whole chapter.
28 Edw. 3. c. 6. -	Coroners shall be chosen by the commons of the counties.	The whole chapter.
23 Hen. 6. c. 9. -	No sheriff shall let his county to ferm.	The whole chapter, so far as it relates to coroners.

Session and Chapter.	Title.	Extent of Repeal.
3 Hen. 7. c. 2. -	An Acte agaynst murderers	The whole Act, except from "And also be yt ordyned "by the authority afore-"said," to the end of the chapter.
1 Hen. 8. c. 7. -	An Acte concerning coroners.	The whole Act.
33 Hen. 8. c. 12. -	An Acte for murther and malicious bloudshed within the Courte.	Section one from "And "that all inquiscons upon "the viewe of psons "slayne" down to the end of the section, section eight, section nine, section ten from "or "within two hundred" to the end of the section, and section eleven.
34 & 35 Hen. 8. c. 26.	An Acte for certaine ordinaunces in the Kinges Majesties dominion and principalitie of Waless.	Section twenty-five.
25 Geo. 2. c. 29. -	An Act for giving a proper reward to coroners for the due execution of their office, and for the removal of coroners upon a lawful conviction for certain misdemeanors.	So much as is unrepealed.
6 Geo. 4. c. 50. -	An Act for consolidating and amending the laws relative to jurors and juries.	Section fifty-three, so far as relates to a coroner upon an inquest.
7 Geo. 4. c. 64. -	An Act for improving the administration of criminal justice in England.	Section four and so much of sections five and six as relates to coroners.
6 & 7 Will. 4. c. 87.	An Act for extinguishing the secular jurisdiction of the Archbishop of York and the Bishop of Ely in certain liberties in the counties of York, Nottingham, and Cambridge.	Section ten from "and that the present coroner" to the end of the section, and section sixteen.
6 & 7 Will. 4. c. 89.	An Act to provide for the attendance and remuneration of medical witnesses at coroners inquests.	The whole Act, except so far as it relates to Ireland.
7 Will. 4. and 1 Vict. c. 64.	An Act for regulating the coroners of the county of Durham.	The whole Act.

Session and Chapter.	Title.	Extent of Repeal.
7 Will. 4. and 1 Vict. c. 68.	An Act to provide for payment of the expenses of holding coroners inquests.	The whole Act.
6 & 7 Vict. c. 12. -	An Act for the more convenient holding of coroners inquests.	The whole Act, so far as relates to England.
6 & 7 Vict. c. 83. -	An Act to amend the law respecting the duties of coroners.	The whole Act.
7 & 8 Vict. c. 92. -	An Act to amend the law respecting the office of county coroner.	Sections eight to eighteen, sections twenty-two to twenty-six, and section thirty.
22 Vict. c. 33. -	An Act to enable coroners in England to admit to bail persons charged with manslaughter.	The whole Act.
22 & 23 Vict. c. 21.	An Act to regulate the office of Queen's Remembrancer, and to amend the practice and procedure on the revenue side of the Court of Exchequer.	Section forty.
23 & 24 Vict. c. 116.	An Act to amend the law relating to the election, duties, and payment of county coroners.	Sections one to three, section five, section six, section seven down to "hereby repealed and," and section nine.
29 & 30 Vict. c. 90.	The Sanitary Act, 1866 -	Section twenty-eight from "and where any such "place has been pro- "vided" to the end of the section, so far as it relates to any part of England.
31 & 32 Vict. c. 24.	The Capital Punishment Amendment Act, 1868.	Section five from "no "officer of the prison" to the end of the section.
37 & 38 Vict. c. 88.	The Births and Deaths Registration Act, 1874.	In section sixteen the words "the jury shall inquire "of the particulars re- "quired to be registered "concerning the death "and," section seventeen from the first "upon "holding an inquest" to "registry of the death "and," and from "and "except on holding an "inquest" down to "shall be given by the "coroner."

Session and Chapter.	Title.	Extent of Repeal.
38 & 39 Vict. c. 55.	The Public Health Act, 1875.	Section one hundred and forty-three from "and "where any such place "has been provided" to the end of the section.
40 & 41 Vict. c. 21.	The Prison Act, 1877 -	Section forty-four.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	Section one hundred and seventy-one from "and "thereafter" down to "office of coroner," section one hundred and seventy-three, section one hundred and seventy-four.

CHAPTER 72.

An Act to amend the Law relating to Expenses of Local Authorities. [16th September 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Local Authorities (Expenses) Act, 1887.

Definitions.

2. In this Act—

The expression "local authority" has the same meaning as in the Local Loans Act, 1875. 38 & 39 Vict. c. 83.

The expression "district auditor" has the same meaning as in the District Auditors Act, 1879. 42 & 43 Vict. c. 6.

Limitation on power of district auditor.

3. Expenses paid by any local authority whose accounts are subject to audit by a district auditor shall not be disallowed by that auditor if they have been sanctioned by the Local Government Board.

CHAPTER 73.

An Act to amend the Copyhold Acts, and for the Enfranchisement of Copyhold and Customary Lands. [16th September 1887.]

WHEREAS it is expedient to make further provision for the enfranchisement of lands of copyhold and customary tenure, and of lands subject to certain customary and other incidents and rights:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Notice to be given by the steward to the tenant.

1. On the admittance or enrolment of any tenant after the thirty-first day of December one thousand eight hundred and eighty-seven the steward of the manor shall be bound, without any further charge, to give to the tenant so admitted or enrolled a notice in the form or to the effect following:

> Take notice that, if you desire that the copyhold land which you hold of this manor of shall become freehold, you are entitled to enfranchise the same upon paying the lord's compensation and the steward's fees. The lord's compensation may be fixed either by agreement between the lord and you, or by any valuer appointed by yourselves, or through the agency of the Land Commissioners, to whom you may make application, if you think fit, to effect the enfranchisement of your land.

If the steward neglects to serve such notice he shall not be entitled to any fee for that admission or enrolment.

All may be admitted by attorney.

2. Every person entitled to admission may hereafter be admitted by himself or by his attorney duly appointed, whether orally or in writing.

Power to agree on compensation or appoint valuer.

3. Any lord and tenant may at any time agree in writing on the amount of compensation for enfranchisement, or may appoint in writing a valuer or valuers to ascertain such compensation, and the sum so agreed upon or ascertained shall be deemed to be the compensation for enfranchisement lawfully ascertained.

Lord to retain his right in case of escheat.

4. On any enfranchisement after the passing of this Act the lord of the manor shall continue to be entitled in case of escheat for want of heirs to the same right and interest in the land as he would have had if it had not been enfranchised.

And corresponding abatements to be made from the lord's compensation.

5. In making valuations for compensation payable to the lord upon an enfranchisement effected after the passing of this Act the valuers shall not take into consideration the value of escheats.

Restraint on the creation of new copyholds.

6. After the passing of this Act it shall not be lawful for the lord of any manor to make grants of land not previously of copyhold tenure to any person to hold by copy of court roll, or by any tenure of a customary nature, without the previous consent of the Land Commissioners, who in giving or withholding their consent shall have regard to the same considerations as are to be taken into account by them on giving or withholding their consent to any inclosure of common lands; and whenever any such grant has been lawfully made the land therein comprised shall cease to be of copyhold tenure, and shall be vested in the grantee thereof to hold for the interest granted as in free and common socage.

Lord or tenant may compel extinguishment of all manorial incidents.

7. Subject to the provisions of the forty-eighth section of the Copyhold Act, 1852, and to the provisions herein-before expressed, any lord or tenant or owner of any land liable to any heriot or to any quitrent, free rent, or other manorial incident whatsoever, may

require and compel the extinguishment of such rights or incidents, and the release and enfranchisement of the land subject thereto, and the same proceedings shall thereupon be had as are in the Copyhold Acts mentioned with reference to the enfranchisement of copyhold land, or as near thereto as the nature of the case will admit.

Commissioners to have power to continue conditions of user.

8. Notwithstanding anything herein contained, it shall be lawful for the Commissioners, if they see fit, in any enfranchisement effected by award, to continue and give effect to any conditions affecting the user of the land subject to which a tenant may have been admitted, and imposed or created for the benefit of the public or of the other tenants of the manor, where, in the opinion of the Commissioners, any especial hardship or injustice would result if the lands were released from such conditions.

Provisions relating to Compensations, Valuations, the making of Awards, the incidence and redemption of Rentcharges, and the application of Compensation Money.

Amendment of s. 6 of 21 & 22 Vict. c. 94.

9. The sixth section of the Copyhold Act, 1858, shall be amended as follows:—Instead of the words "admittance or death" shall be read the words "admittance or enrolment on alienation;" and instead of the final word "heriot" shall be read the word "enrolment."

Amendment of s. 8 of 21 & 22 Vict. c. 94.

10. Section eight of the Copyhold Act, 1858, shall be read as if the word thirty had been substituted therein for twenty, and subject to the following modifications:

(*a.*) The lord and tenant in any case may appoint one and the same person as valuer:

(*b.*) Either party may in any case have the valuation made as in cases where the land to be enfranchised is rated to the poor's rate at a greater amount than the net annual value of thirty pounds, but in that case he shall be liable to pay the additional expense caused by such mode of valuation:

(*c.*) Where the valuers fail to make a decision, and also fail to refer the matter to the umpire, the umpire shall, if so directed by the Commissioners, act as if he had been duly appointed by the lord and tenant to act as their valuer, and the umpire so acting shall make and deliver his decision to the Commissioners within forty-two days from his being directed by the Commissioners to act as valuer for both parties; and where he has not been so directed, or where having been so directed he fails to deliver his decision within the time aforesaid, the Commissioners shall fix the consideration to be paid:

(*d.*) The valuers or either of them, if they fail to agree upon the compensation to be paid for the enfranchisement, may refer the whole matter or any point in dispute to the umpire.

As to duties of valuers.

11. The valuers appointed under the provisions of the Copyhold Acts shall determine the value of the manorial and other rights and incidents, such value to be a gross sum of money, and their decision shall be in such form as the Commissioners may prescribe, and they shall in every case deliver the details of the valuation to

the Commissioners, and if it shall appear to the Commissioners that the valuation is imperfect or erroneous, they may remit it for reconsideration or correction; and if the valuers neglect or refuse to amend the same, the Commissioners may, after due notice to the lord and to the tenant, and after fully considering all the circumstances brought before them, determine the value of the manorial and other rights and incidents at such a sum as they may deem just and reasonable.

In case of death, &c. of valuer, another to be appointed.

12. Upon the death, incapacity, or refusal to act, or removal from time to time, of any valuer appointed under the provisions of the Copyhold Acts, another valuer shall, by a time to be fixed by the Commissioners, be appointed in his stead in the manner and by the means by which the valuer whose place he is to fill was appointed; and if no valuer be appointed within the time fixed by the Commissioners, then the appointment shall be made by the Commissioners, and the new valuer for the time being may adopt and act upon any valuation and other matters or proceedings which shall have been completed or agreed upon by the valuer previously acting.

Payment may be made in gross sum.

13. The tenant may in any case before the completion of any enfranchisement pay the compensation in a gross sum of money, but in case of an enfranchisement by award, he shall, within ten days after the receipt of the draft of the proposed award, give notice in writing to the Commissioners of his desire so to pay.

When compensation to be secured by rentcharge.

14. Subject to the foregoing provision, and unless the parties otherwise agree, such compensation shall, in the following cases, viz.:

(*a.*) Where the enfranchisement is effected at the instance of the lord;

(*b.*) Where the land can, in the opinion of the Commissioners, be sufficiently identified, and the compensation to the lord amounts to more than one year's improved annual value of the land enfranchised,

consist of an annual rentcharge commencing in every case from the date of the notice to enfranchise, and issuing out of the land enfranchised, equivalent to interest at the rate of four pounds per centum per annum upon the amount of compensation ascertained as aforesaid.

Rentcharges to be payable on the 1st January and 1st July in each year.

15. From and after the first day of January next every rentcharge already created or to be hereafter created under the provisions of the Copyhold Acts shall be payable half-yearly on the first day of January and the first day of July in every year, and a proportionate payment shall be made on the first day of January next in respect of the interval which shall have elapsed since the last preceding day of payment or since the commencement thereof, as the case may be; and on any enfranchisement taking place after the said first day of January a proportionate payment shall in like manner be made on such one of the said half-yearly days of payment as shall next follow the date of the award or memorandum or deed of enfranchisement.

Recovery and incidence of rentcharge. 44 & 45 Vict. c. 41.

16. Every such rentcharge shall be recoverable by such remedies as are given by section forty-four of the Conveyancing and Law of Property Act, 1881. Any occupying tenant who is called upon to pay and does pay any money on account of such rentcharge, which as between him and his landlord he shall not be liable to pay, shall be entitled to recover the same from his landlord or to deduct it from the next rent payable by him.

Rentcharge redeemable by tenant.

17. Any such rentcharge may be redeemed upon any half-yearly day of payment upon six months previous notice in writing at the option of any person for the time being in actual possession or receipt of the rents and profits of the land subject to the rentcharge, by payment to the person for the time being entitled to receive the rentcharge of twenty-five times the yearly amount of the rentcharge created as aforesaid.

Provision when, after notice for redemption, money is not paid.

18. After the expiration of a notice for redemption, if the redemption money and all arrears of the rentcharge are not duly paid, the person entitled to the said rentcharge shall have and may exercise over the property charged therewith all the powers and remedies given to a mortgagee in and by the Conveyancing and Law of Property Act, 1881, for the recovery of the redemption money and all arrears, if any, of the said rentcharge.

Rentcharges to rank as if under Copyhold Acts.

19. Rentcharges created under this Act on enfranchised lands shall, with reference to other charges on and interests in such lands, rank in the same manner as if such rentcharges were created under the Copyhold Acts passed prior to this Act.

Expenses of redemption.

20. The expenses incurred in redeeming such rentcharges shall be dealt with on the same footing as the expenses incurred in redeeming a mortgage.

Transfer of fee-farm rent or charge from manor to freehold lands or Government stocks of adequate value.

21. Where in the course of an enfranchisement under the Copyhold Acts it is found that a manor, or the lord's estate and interest in any land belonging thereto, which may be the subject of enfranchisement is subject to the payment of a fee-farm rent or to any other charge, the Commissioners may, upon the application of the person for the time being bound to make such payment or defray such charge, by order under their seal, direct that the fee-farm rent or charge respectively shall be a charge upon any freehold lands specified in the order, being of adequate value and held under the same title as the said manor or land, or upon any adequate amount of Government stocks or funds to be transferred into Court by the direction of the Commissioners in manner prescribed by the High Court Funds Rules, or into the names of trustees appointed by the Commissioners; and upon the sealing of such order the said manor and land shall be freed and for ever discharged from such payment or charge; and such payment or charge shall be and continue a charge upon the land or funds specified in the order of the Commissioners, and, so far as the nature of the case will admit, there shall be and are hereby attached thereto the like remedies for the recovery thereof as against the land or funds subject thereto, as might have been had as against the manor or land belonging thereto in respect of the original charge.

Commissioners may frame award of enfranchisement.

22. In any case conducted before the Commissioners, when the amount of compensation has been duly ascertained, the Commissioners, having made such inquiries as to them shall seem fit, may frame an award of enfranchisement on the basis of such compensation, and in such form as they shall provide, and may confirm the same, and such confirmed award shall have the same force and validity as an award of enfranchisement under the Copyhold Act, 1858. And where the draft award has been perused by the steward, it shall not be necessary to serve a copy thereof upon the steward, as required by the last proviso to the tenth section of the Copyhold Act, 1858. But a copy of the award, sealed or stamped with the seal of the Commissioners, shall be sent by the Commissioners to the lord, who shall cause the same to be entered on the court rolls of the manor.

21 & 22 Vict. c. 94.

Power to charge land enfranchised with compensation money, &c.

23. It shall be lawful for the owner of any land enfranchised under the Copyhold Acts, although his estate may be only a limited estate, to charge the land enfranchised with the compensation money paid for such enfranchisement, and also with the expenses attending such enfranchisement, or with any part thereof respectively, with interest thereon not exceeding five pounds per centum per annum, or by way of terminable annuity calculated on the same basis. Any and every such charge may be by deed by way of mortgage with, under, and subject to the provisions of the Conveyancing and Law of Property Act, 1881, and shall be a first charge on the land, and shall have such priority as by the thirty-third section of the Copyhold Act, 1858, is assigned to the charges there expressed to be first charges; and any moneys already invested or previously secured or charged on such land may be continued on the security of the same, notwithstanding the imposition of the said charges under the Copyhold Acts. Any company now authorised to make advances for works of agricultural improvement to owners of settled and other estates, may, subject and according to the provisions of their respective Acts of Parliament, charters, deeds, or instruments of settlement, make advances to owners of settled and other estates of such sums as may be required for the payment of any consideration or compensation for commutation or enfranchisement under the existing or any future Copyhold Acts, or of any expenses chargeable upon a manor or land under the same Acts or otherwise, and to take for their repayment a charge for the same in accordance with the provisions of their respective Acts of Parliament.

44 & 45 Vict. c. 41.

21 & 22 Vict. c. 94.

Lord's expenses may be charged on lands or rentcharges.

24. Any expenses paid by a lord in proceedings under the Copyhold Acts may be charged either on lands settled to the same uses as the manor or on rentcharges arising out of other enfranchisements within the manor, and every such charge shall be by deed by way of mortgage with, under, and subject to the provisions of the Conveyancing and Law of Property Act, 1881.

Receipt for, and disposal of, compensation,—after award, or with consent, of Commissioners,

25. In every case where land is enfranchised under the award of the Commissioners, or by deed with the consent of the Commissioners, the lord for the time being, although his estate in the manor may be only a limited estate, shall be able to give a complete discharge for money payable to the lord for compensation,

so as to relieve the person or persons paying the same from all responsibility for the application thereof, and in such cases the compensation money shall be paid by the recipient in such manner as the Commissioners, having regard to the provisions of the Copyholds Acts, shall direct.

—in case of enfranchisement by agreement where compensation under 500*l*.

26. In cases of enfranchisement by agreement between the parties, or otherwise without reference to the Commissioners, where the compensation money does not exceed five hundred pounds, the lord for the time being shall be able to give such complete discharge, if he makes a declaration in writing stating the particulars of his estate or interest in the manor, and showing himself to be entitled to receive such money for his own use. If he is not actually so entitled he shall be deemed to have received such money as a trustee for the persons who are so entitled. If his declaration is false he shall be liable to the penalties attached to a false statutory declaration.

Steward's compensation after 31st December 1887.

27. In every case of enfranchisement by award after the thirty-first day of December one thousand eight hundred and eighty-seven the tenant shall pay to the steward the compensation mentioned in the schedule to this Act.

Prior to 1st January 1888.

28. In every case of enfranchisement by award prior to the first day of January one thousand eight hundred and eighty-eight the expenses of enfranchisement and the steward's compensation shall be dealt with as provided by the Copyhold Acts prior to this Act.

Provisions relating to Procedure and Expenses.

Amendment of 15 & 16 Vict. c. 51. s. 8.

29. From and after the passing of this Act the words "in the "course of the valuations in any enfranchisement to be effected "by an award under the Copyhold Acts" shall be substituted for the words "upon or prior to any admittance or in the course of "such valuations" in section eight of the Copyhold Act, 1852.

Commissioners to publish a scale of compensation.

30. The Land Commissioners shall frame and cause to be printed and published such a scale of compensation for the enfranchisement of land from the manorial and other rights and incidents specified or referred to in the Copyhold Acts, including heriots, as in their judgment will be fair and just and will facilitate enfranchisement, and such scale shall contain all such directions for the guidance of lord, tenant, and valuers as the Commissioners may deem necessary. The said Commissioners shall also print and publish a scale of allowance to valuers for services to be performed in the execution of the Copyhold Acts. The Commissioners may from time to time vary any such scales, which are to be for guidance only, and not to be binding as a matter of law in any particular case, but the party requiring enfranchisement shall state to the other party whether or no he is willing to adopt the scale.

In case of death proceedings not to abate.

31. If pending any proceedings commenced after the passing of this Act for enfranchisement under the Copyhold Acts the lord or tenant shall die, there shall be no abatement of the proceedings; any fresh admittance or enrolment consequent on such death and pending such proceedings shall be made without the payment of

any fine, relief, or heriot to the lord; and the enfranchisement shall be proceeded with and the compensation shall be ascertained on the same footing as if the enfranchisement had been effected immediately after the commencement of proceedings.

Declaration to be made by lord or steward.

32. Previously to any enfranchisement by award or deed under the Copyhold Acts the Commissioners, if they see fit, may require the lord or steward of any manor to make a declaration in such form as they shall direct, stating who are the persons for the time being filling the character or acting in the capacity of lord, and it shall be lawful for the Commissioners to accept such declaration for the purposes of the Copyhold Acts; but if the Commissioners shall consider that such evidence does not fully and truly disclose all such particulars as are necessary, or if no such declaration shall be made, or if the lord shall refuse or decline to give such evidence as they shall deem proper and necessary to show a satisfactory primâ facie title in the lord, then, if they think the justice of the case requires it, they may direct that the compensation for enfranchisement, when a gross sum of money, shall be paid into court in the manner prescribed by the High Court Funds Rules.

Steward as a general rule to represent the lord.

33. Any lord may act on his own behalf, or may appoint an agent other than his steward to act for him; but unless and until he has given written notice to the tenant and the Commissioners respectively that he intends to act for himself, or that he has appointed the person specified in the notice to act for him, the tenant and the Commissioners respectively may treat his steward as his agent for receipt of notices, making of agreements, and all other matters relating to enfranchisement, and in all matters of procedure the steward shall be deemed to represent the lord; except that no steward shall, without special authority, have power to consent on behalf of the lord to dealings with the rights comprised in section forty-eight of the Copyhold Act, 1852, as herein amended.

15 & 16 Vict. c. 51.

Award may be withheld until payment of fees.

34. The Commissioners shall have power to require the payment of all office fees and other expenses of the Commissioners as aforesaid, from either lord or tenant requesting any award, deed, or order, before delivery of the same.

General provisions as to expenses.

35. Whenever money is hereby declared to be payable by any person on account of the expenses of proceedings under the Copyhold Acts—

(*a.*) The amount may be recovered as a debt due from the party liable to pay to the party entitled to receive, as well as by any other remedy given in any special case:

(*b.*) If it be payable by the lord to the tenant, or by the owner of a rentcharge to the owner of the property charged therewith, the amount may be set off against any money which at the time is receivable by the lord from the tenant, or by the owner of the rentcharge from the owner of the property charged:

(*c.*) If there is dispute as to the amount of such expenses, the Commissioners may ascertain it, and may declare it by order which shall be binding on all parties concerned.

Notices.

36. Any notice required or authorised by the Copyhold Acts to be given to any person may be in writing or print, or partly in writing and partly in print, and shall be sufficiently given if delivered to such person himself or left at the usual or last known place of abode or business in the United Kingdom of such person. Any such notice shall also be sufficiently given if it is sent by post in a registered letter addressed to the person to be affected thereby by name at the aforesaid place of abode or business, and if that letter is not returned through the Post Office undelivered, service or delivery shall be deemed to be made at the time at which the registered letter would in the ordinary course be delivered. Where a notice is required or authorised to be given to the tenant of any premises it may be given by delivering the same, or a true copy thereof, to some person on the premises, or, if there is no person on the premises to whom the same can be delivered with reasonable diligence, by fixing the notice on some conspicuous part of the premises.

Pending proceedings to be carried out under former Acts.

37. All proceedings for enfranchisement or redemption already commenced under the Copyhold Acts prior to this Act shall be carried out under those Acts as if this Act had not passed.

General and Miscellaneous Provisions.

Succession of rights and liabilities.

38. All rights by this Act conferred and all liabilities imposed upon a lord or tenant shall be held to be conferred or imposed upon the successors in title of such lord or tenant unless a contrary intention appears.

Provision for cases of trustees, infants, lunatics, and married women.

39. Anything by the Copyhold Acts required or authorised to be done by the lord of a manor, or the tenant or owner of any land or right, may be done by such lord or tenant or owner, notwithstanding that he may be a trustee for any person, or that his estate in such manor or land be only a limited estate; and the guardian of an infant lord, tenant, or owner, and the committee of the estate of a lunatic lord, tenant, or owner, shall have full power to do on his behalf anything by the said Acts required or authorised to be done by such infant or lunatic; and a married woman, being lady of the manor, or tenant of any land or right of copyhold or customary tenure, shall for the purposes of the said Acts be deemed to be a feme sole.

Where one or more trustees shall be abroad or shall be incapable or refuse to act the other trustees may act.

40. When either the lords or the tenants are trustees, and one or more of such trustees shall be abroad or shall be incapable or refuse to act, any proceedings necessary to be done by such trustees for effecting any enfranchisement under the Copyhold Acts may be done by the other trustee or trustees, as the case may be.

Provision for lands in lease.

41. The provisions of the forty-fourth section of the Copyhold Act, 1852, with reference to lands subject to leases, shall be deemed to apply not only to leases and demises at will, but also to leases and demises for any greater interest, and they shall be applicable to all lands enfranchised under the Copyhold Acts.

Boundaries.

42. In all cases of lands enfranchised under the Copyhold Acts the following rules shall apply as between the lord and the tenant:—

(*a.*) Where the identity of any lands cannot be ascertained to the satisfaction of the valuers, such lands shall be taken at the quantities mentioned in the court books or rolls of the manor, if such quantities are therein stated to be in statute measure, and as to any lands the quantities of which are not so specified, the same shall be taken at such quantities as such valuers may determine:

(*b.*) Where the lands are not defined by a plan upon the court rolls, the valuers shall, if requested in writing so to do either by the lord or tenant, define the boundaries or limits of the lands by a plan; such plan when accepted by the Commissioners to be conclusive:

(*c.*) When valuers have been appointed it shall be lawful for any lord or tenant, in case of any doubt or difference of opinion as to the identity of any lands, to apply to the Commissioners to define the boundaries thereof for the purpose of any enfranchisement, and the Commissioners shall proceed in such manner as they shall see fit to ascertain and define such boundaries; and such definition of boundaries, when made by the Commissioners, shall be final and conclusive:

(*d.*) Except by agreement between the lord and the tenant, no such plan shall be undertaken in any case where it shall appear by the court rolls or otherwise that the boundaries of the lands proposed to be enfranchised have been for more than fifty years last past treated as being intermixed with the boundaries of other lands and as being incapable of definition.

Power to refer questions of compensation to Commissioners.

43. Notwithstanding the provisions of the Copyhold Acts, the lord and tenant may at any time after notice of enfranchisement shall have been delivered agree in writing that the Commissioners shall determine the compensation to be paid for enfranchisement. And the Commissioners shall, upon receipt of such agreement, take such proceedings and make such inquiries as they may deem necessary to determine such compensation, taking into consideration all such matters as valuers appointed under the Copyhold Acts are bound to take into consideration in making a valuation; and having determined such compensation, the Commissioners shall communicate the result in writing to the lord and tenant, and shall fix a time within which any objection to such determination may be signified to them in writing by the lord or tenant, and forthwith after the period fixed for such objections to be signified shall have expired if there be none, or if there be any then forthwith after the Commissioners shall have considered and disposed of such objections and made such alterations, if any, as they shall see fit, they shall make their award of enfranchisement in like manner as if the compensation had been ascertained by valuers under the Copyhold Acts.

Commissioners may correct errors in

44. It shall be lawful for the Commissioners, if they see fit, on the application of any person interested, at any time to correct

and supply any error or omission arising from inadvertence in any award of enfranchisement, deed of enfranchisement, or charge, already made or issued, or to be made and issued by them, or any other instrument authorised by the said Acts to be made or issued by the Commissioners, after such notice to the parties interested as the Commissioners shall deem proper, and all expenses incident thereto shall be paid by the parties, or either of them, if and as the Commissioners direct.

awards or other instruments.

45. The thirtieth section of the Conveyancing and Law of Property Act, 1881, shall not apply to land of copyhold or customary tenure vested in the tenant on the court rolls of any manor upon any trust or by way of mortgage.

Trust copyholds of inheritance not to descend as chattels real.

46. In every case where, under the fourth section of the Universities and College Estates Act Extension, 1860, any university or college and any person shall jointly constitute "the lord" of the manor, then any rentcharge to be created under the Copyhold Acts on the enfranchisement of land held of such manor shall be in favour of, and the power to give receipts hereinbefore conferred for compensation or redemption money shall be exerciseable by, the person who at the date of the enfranchisement shall be entitled in possession to the profits of the manor or to the receipt of such rentcharge, and the executors and administrators of such person, but without prejudice to any question as to the further disposal of the moneys secured by such charge.

Provision for case of joint lords under section 4 of 23 & 24 Vict. c. 59.

47. The following provisions shall apply to every manor in which the fines are certain, and in which it is the practice for copyholders in fee to grant derivative interests to persons who are admitted as copyholders of the manor in respect of such interests:

Provisions for cases where derivative interests are entered upon the rolls.

(*a.*) The tenant for the purposes of the Copyhold Acts shall be the person who is admitted or enrolled in respect of the inheritance, and who is in this section called the tenant-in-fee:

(*b.*) The enfranchisement of the land to such tenant shall enure for the benefit of himself and every other person having any customary estate or interest subsisting in the same land, without any further enfranchisement, and all such persons shall be entitled to estates and interests in the land enfranchised corresponding with their customary estates and interests existing at the date of the enfranchisement:

(*c.*) All rentcharges payable in respect of such enfranchisement, and all sums of money payable by the tenant in fee for compensation or the expenses of enfranchisement, and the interest thereon, shall, if the parties have not otherwise agreed, be borne and paid by the several persons for whose benefit the enfranchisement enures in proportion to their respective interests in the enfranchised land:

(*d.*) If any dispute arises respecting the due apportionment of such charges, the Commissioners may, on the application of any party interested, and after due inquiry, make an order apportioning the same. Such order shall be binding on all parties concerned, and the expenses of and incident to it shall be paid by the parties or any of them as the Commissioners direct:

(*e.*)—

(1.) On the request of the lord, or of one fourth in number of the copyholders for the time being on the court roll of any such manor, and upon such provision for expenses being made as the Commissioners may require, the Commissioners may make a local inquiry for the purpose of ascertaining whether the copyholders of such manor desire that enfranchisement shall be effected throughout the manor:

(2.) If the Commissioners find that not less than two thirds in number of such copyholders desire such enfranchisement, they shall by order declare that all copyhold tenements of the manor are to be enfranchised; and thereupon they shall proceed to ascertain the amount of compensation due to the lord upon the enfranchisement of each tenement held by a tenant-in-fee, and to effect such enfranchisements accordingly as between the lord and the tenants-in-fee. The compensation in every case shall consist of a gross sum of money, unless the lord and tenant-in-fee otherwise agree:

(3.) Upon the making of the declaration above mentioned, all the tenants-in-fee of the manor shall be liable to contribute rateably to the expenses of the local inquiry according to the amount of compensation payable by them respectively. The tenant-in-fee and all copyholders holding derivative interests in the same tenement shall be liable to contribute rateably, according to the value of their respective interests, to the compensation, and to all such expenses attending the enfranchisement as are payable on the part of tenants, including the contribution assessed on tenants-in-fee as last aforesaid:

(4.) The Commissioners shall have power to apportion such contributions between the several tenants of each enfranchised tenement, and also between the several tenants-in-fee, and to make orders for the payment of such contributions and expenses by the persons from whom they are due. Such orders shall be conclusive upon all persons hereby declared liable to contribute:

(5.) Without the consent of the tenant-in-fee the Commissioners shall make no award for the enfranchisement of any tenement, unless and until they have apportioned the contributions between such tenant-in-fee and the tenants holding derivative interests in the same tenement, and have made orders for payment of the same, or otherwise have satisfied themselves that the tenant-in-fee has full security for the amounts which the tenants of derivative interests are to contribute.

Custody of court rolls.

48. When and so soon as all the lands held of or parcel of any manor shall be enfranchised the lord or, with the consent of the lord, any other person having custody of the court rolls, court books, and records of such manor may, if he thinks fit, give up and hand over to the Master of the Rolls all or any of such court rolls, court books, and records, and the Master of the Rolls shall have power to receive and to undertake the custody thereof,

and in case the Commissioners shall have obtained the custody of any such court rolls, court books, or records under the Copyhold Act, 1852, or otherwise under the Copyhold Acts, they shall have power to give all or any of them up to the Master of the Rolls, who shall have power to take and keep the same in manner aforesaid; and from thenceforth all persons seised of or interested in any such lands shall have access to and may inspect such court rolls, court books, and records handed over as aforesaid, and may inspect the same and obtain office copies or certified extracts therefrom on the payment of such reasonable fees as shall be fixed from time to time under the authority of the Master of the Rolls.

Provided always, that the Master of the Rolls shall have power from time to time to make, and when made revoke, add to, and vary rules respecting the manner in which and the time at which the access to and inspection of such court rolls, court books, and records handed over as aforesaid, shall be had and made, and such office copies and certified extracts shall be obtained, and as to the amount and mode of payment of reasonable fees for or in respect of such office copies and certified extracts as aforesaid.

Provided further, that every such rule shall be laid before both Houses of Parliament within six weeks after it is made, or after the next meeting of Parliament.

Interpretation of terms.

49. In this Act and the Copyhold Acts, unless where the context shows that the words herein-after mentioned are used in a different sense, they shall be understood in manner herein-after mentioned, that is to say, the expression "the Commissioners" shall mean the Land Commissioners for England; the expression "the Copyhold Acts" shall extend to and include this Act; the word "lord" shall be interpreted as the same is interpreted in the Copyhold Act of 1841; the word "tenant" shall comprise all persons holding lands subject to any manorial right or incident; the word "rent" shall include all payments or renders in money, produce, kind, or labour, due or payable in respect of any land holden of or parcel of any manor; the word "owner" shall include every person entitled to hereditaments for any term of years originally granted for ninety-nine years or upwards, or for some greater estate; the words "admitting or enrolling," "admittance or enrolment," "admit or enrol" shall include an express admittance or enrolment of a tenant and every licence of any assurance, and every ceremony, act, and assent whereby the tenancy or holding of any such tenant is perfected; and generally words interpreted in the earlier Copyhold Acts shall receive the same interpretation in this Act save where a contrary intention appears.

Commissioners. Copyhold Acts. Lord. Tenant. Rent. Owner. Admittance.

Act to be part of Copyhold Acts. Short title.

50. This Act shall be taken and construed as part of the Copyhold Acts, and may be cited either generally under the term the Copyhold Acts, or specifically as the Copyhold Act, 1887, and throughout this Act the expression "Copyhold Acts" shall include this Act.

Repeal.

51. The following portions of the Copyhold Acts are hereby repealed; that is to say,

The twelfth section of the Copyhold Act, 1843:

The fourth, seventh, ninth, and twenty-fourth sections of the Copyhold Act, 1852:

The seventh section of the Copyhold Act, 1858.

SCHEDULE.

Scale of Steward's Compensation.

Section 27. When the consideration for the enfranchisement does not exceed 1*l.*—five shillings. When the same exceeds 1*l.*, but does not exceed 5*l.*—ten shillings. When the same exceeds 5*l.*, but does not exceed 10*l.*—one pound. When the same exceeds 10*l.*, but does not exceed 15*l.*—two pounds. When the same exceeds 15*l.*, but does not exceed 20*l.*—three pounds. When the compensation exceeds 20*l.*, but does not exceed 25*l.*—four pounds. When the same exceeds 25*l.*, but does not exceed 50*l.*—six pounds. When the same exceeds 50*l.*, but does not exceed 100*l.*—seven pounds. And also on every additional 50*l.*, or fractional part of 50*l.* over and above the first 100*l.*—ten shillings. The above compensation is exclusive of stamps and paper or parchment or map or plan, which are to be paid for by the tenant.

APPENDIX AND INDEX.

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TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS passed during the Session.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

P. i. AN Act to confirm a Provisional Order under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same, relating to the Follistown Drainage District, in the County of Meath.

ii. An Act to enable the Barnet District Gas and Water Company to extend their limits of Water Supply to construct new Water Works to raise additional Capital and for other purposes.

iii. An Act for the abandonment of the tramways authorised by the Skegness and Saint Leonard's Tramway Act 1885 and for making provision as to the application of the moneys deposited in respect of the application to Parliament for the Skegness Chapel Saint Leonard's and Alford Tramways Act 1883; and for other purposes.

iv. An Act to authorise the London Street Tramways Company to construct additional Tramways and for other purposes.

v. An Act for authorising the Local Board for the District of Southend in the County of Essex to acquire a portion of the foreshore within their district and to make and maintain new piers and a street and for other purposes.

vi. An Act for the improvement of certain Districts within the City of Edinburgh, and the execution of works in the Water of Leith and Mill-leads thereof, and the acquisition and filling up of the Mill-leads; and for other purposes.

vii. An Act to confer further powers on the Rhymney Railway Company in connection with their undertaking; and for other purposes.

viii. An Act to extend the periods limited by the Clyde Navigation Act, 1883, for the compulsory purchase of Lands and for the completion of the Railway thereby authorised; to confer further powers on the Trustees of the Clyde Navigation and on the Clyde Pilot Board, with respect to the collection of Rates and Dues, the appointment of Officers, and the erection of Signals; and for other purposes.

ix. An Act for conferring further powers on the Manchester Bury Rochdale and Oldham Steam Tramways Company.

x. An Act to amend the Clerical Medical and General Life Assurance Act, 1850, and to make further provisions in relation to the capital of the Society and to the distribution of profits, and for other purposes.

xi. An Act for establishing a Fund for providing Annuities and other benefits to Members of the Society of Accountants in Edinburgh, and to their widows and representatives; and for other purposes.

xii. An Act for empowering the North Metropolitan Tramways Company to construct new Tramways; and for other purposes.

xiii. An Act for introducing Vote by Ballot and for further regulating Municipal Elections within the city of London.

xiv. An Act to authorise the Stratford-upon-Avon Towcester and Midland Junction Railway Company to create and issue Debenture Stock; and for other purposes.

xv. An Act to facilitate the winding-up of the Munster Bank Limited to vest the remaining assets of the Munster Bank in the Munster and Leinster Bank Limited and for other purposes.

xvi. An Act for granting further powers to the Northampton Gaslight Company.

xvii. An Act to confer further powers on the Manchester Sheffield and Lincolnshire Railway Company in connection with their undertaking and the undertakings of other companies and for other purposes.

P. **xviii.** An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to the Town of Carrick-on-Suir.

xix. An Act to extend and define the boundary of the city of Carlisle to confer further powers upon the Corporation of Carlisle with respect to their gas and water undertakings to make further and better provision for the improvement health and good government of the city of Carlisle and to provide for the consolidation of the loans of the Corporation of Carlisle and the conversion of those loans into stock and for other purposes.

xx. An Act for dissolving the Kirkheaton Dalton and Lepton Gas Company Limited and reincorporating the members thereof with others and for enabling them to supply Gas within the townships of Kirkheaton and Lepton in the West Riding of the county of York and for other purposes.

xxi. An Act for enabling the Commissioners of Supply of the county of Renfrew to erect and maintain new county buildings; for transferring the existing county and burgh buildings to the Town Council of Paisley; for enabling the Town Council to erect additional buildings, and to sell others belonging to the burgh; and for other purposes.

xxii. An Act to enable the Mayor Aldermen and Burgesses of the City of Bristol to make a Culvert for the relief of the floods in the River Frome and for other purposes.

xxiii. An Act to empower the Mayor Aldermen and Burgesses of the borough of Belfast to construct a new Bridge over the River Lagan with approaches thereto.

xxiv. An Act to extinguish a right of way over the lands of Woodilee belonging to the Parochial Board of the Barony Parish of Glasgow and to enable that Board to make and maintain a footpath in lieu thereof and for other purposes.

xxv. An Act to confer further powers on the Mayor Aldermen and Citizens of the city of Manchester with reference to superfluous lands and for other purposes.

xxvi. An Act for incorporating a company and authorising them to make and maintain certain railways between Felixstowe and Felixstowe (otherwise Bawdsey) Ferry in the county of Suffolk and for other purposes.

xxvii. An Act to confer further powers upon the Millwall Dock Company; and for other purposes.

xxviii. An Act to confer further powers on the Highland Railway Company; and for other purposes.

xxix. An Act to confer further powers on the London Brighton and South Coast Railway Company and for other purposes.

xxx. An Act to amend the Roads and Bridges (Scotland) Act, 1878, as regards the county of Orkney; and for other purposes.

P. **xxxi.** An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State under the Metropolitan Police Act, 1886, relating to lands in the Parishes of Leyton (Essex) and Coulsdon (Surrey).

xxxii. An Act for regulating the Capital of the Government Stock Investment Company Limited and for other purposes.

xxxiii. An Act to make further provision as to the Investment of the Moneys of and to confer further powers upon the Law Life Assurance Society and for other purposes.

xxxiv. An Act to confirm a certain special Resolution for dividing the ordinary Share Capital of the Municipal Trust Company, Limited, into preferred Shares and deferred Shares, and for other purposes.

xxxv. An Act for extending the district of the Liverpool Hydraulic Power Company and for other purposes.

xxxvi. An Act to effect the winding-up and dissolution of the Society of Solicitors of Banffshire.

xxxvii. An Act for the Abandonment of the London, Hendon and Harrow Railway.

xxxviii. An Act to extend the time for the compulsory purchase of lands and for completing the Manchester Middleton and District Tramways and for other purposes.

xxxix. An Act to enable the Cardiff Gas Light and Coke Company to raise further Capital to acquire additional Lands to construct New Works and for other purposes.

xl. An Act to incorporate a Company for the maintaining and working of the Girvan and Portpatrick Junction Railway; and for other purposes.

xli. An Act to extend the time for the compulsory purchase of Lands and for the construction of the Tramways Street widening Bridge widening and other works authorised by the Brentford and District Tramways Act 1885.

xlii. An Act to confer further powers on the Midland and South Western Junction Railway Company.

xliii. An Act to provide for the release of the Money deposited in respect of the application to Parliament for the Dublin Southern District Tramways Act 1883; and for other purposes.

xliv. An Act to extend the time for purchasing Land and completing the Llangammarch and Neath and Brecon Junction Railway.

xlv. An Act to confer further powers on the West Lancashire Railway Company in relation to their Preston Docks Extension Railway and for other purposes.

xlvi. An Act to extend the time for construction of Tramways authorised by the Blackburn Improvement Act 1882 and for other purposes.

xlvii. An Act to provide for the transfer of the undertaking of the Cockermouth Gaslight and Coke Company to the Cockermouth Local Board; and for other purposes.

xlviii. An Act to amend the National Assurance Company of Ireland Act 1876 and to make further provision with respect to the Charter and Capital of the Company and as to Agreements made by the Company and for other purposes.

P. xlix. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Aldershot, the Improvement Act District of Bethesda, the Local Government District of Bridlington, the Borough of Cheltenham, the Local Government District of Epsom, the Special Drainage District of Merton Rush, the Local Government District of Pontypool, the Borough of Saint Helen's, and the Improvement Act District of Surbiton.

l. An Act for enabling the North-eastern Railway Company to make new railways; and for other purposes.

li. An Act to extend the time limited by the Regent's Canal City and Docks Railway Act 1882 for the compulsory purchase of lands for and for the completion of works thereby authorised and for other purposes.

lii. An Act to amend and extend the Acts relating to the Southampton Harbour Board and for other purposes.

liii. An Act to authorise the Golden Valley Railway Company to raise further money to extend the time for completion of the railway authorised by their Act of 1884 and for other purposes.

liv. An Act to confer further powers on the Barry Dock and Railways Company.

lv. An Act to incorporate the President and Managers of the Royal Infirmary and Lunatic Asylum of Aberdeen and for other purposes.

lvi. An Act to dissolve and re-incorporate the Accrington Corporation Steam Tramways Company (Limited) and to authorise the construction of Tramways from Baxenden to Haslingden and Rawtenstall and for other purposes.

P. lvii. An Act to confirm a Provisional Order of the Local Government Board under the Highways and Locomotives (Amendment) Act, 1878, relating to the North Riding of the County of York.

P. lviii. An Act to confirm certain Orders of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Birtley, Carlton Little, Cockerington North, Cockerington South, Ludford Magna, Ludford Parva, Reston North, Swaby, Theddlethorpe All Saints, and Theddlethorpe Saint Helen's; and to the Townships of Bagby, Belleau, Chollerton, Dalton, and Louth Park.

P. lix. An Act to confirm certain Orders of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Asterby, Cowbit, Curdworth, Dalderby, Durston, Goulceby, Langton, Lyng, Mareham-le-Fen, Pinchbeck, Revesby, Scrivelsby, Spalding, Tattershall, Thimbleby, Thornton, and Woodhall; to the Township of Tattershall Thorpe, and to the Hamlet of Minworth.

lx. An Act to authorise the construction of bridges over the River Taff and the Glamorganshire Canal and roads and approaches in connexion therewith and for other purposes.

lxi. An Act for the abandonment of the Kirkcaldy and District Tramways and for authorising the repayment of the money deposited for securing the completion thereof.

lxii. An Act for incorporating the Hull and North-Western Junction Railway Company and for transferring to such Company certain powers of the Hull Barnsley and West Riding Junction Railway and Dock Company and for other purposes.

P. lxiii. An Act to provide for the Maintenance of the new Streets at Hyde Park Corner.

lxiv. An Act to authorise the repayment of moneys deposited in respect of the railways authorised to be constructed by the Kilrush and Kilkee Railway and Poulnasherry Reclamation Company.

lxv. An Act to authorise the Downham and Stoke Ferry Railway Company to abandon the construction of a portion of their authorised railways and for other purposes.

lxvi. An Act for incorporating and conferring powers on the Basingstoke Gas and Coke Company.

lxvii. An Act to authorise and provide for the sale and transfer to the Great Eastern Railway Company of the part of the undertaking of the Felixstowe Railway and Dock Company authorised by the Felixstowe Railway and Pier Act 1875 to change the name of the Felixstowe Railway and Dock Company; and for other purposes.

lxviii. An Act for the abandonment of the Bishop's Castle and Montgomery Railway.

lxix. An Act for incorporating the Newark and Ollerton Railway Company and authorising them to make and maintain the Newark and Ollerton Railway and for other purposes.

lxx. An Act to enable the Edinburgh Northern Tramways Company to make and maintain additional Tramways and for other purposes.

lxxi. An Act to make further and better provision in relation to the Water Supply Health Local Government and improvement of the borough of Wakefield in the West Riding of the county of York and to empower the Corporation of that borough to create and issue Corporation Stock and for other purposes.

lxxii. An Act to authorise the Dundee Police Commissioners to abandon portions of their existing tramways, and to make a new tramway; to construct a sea wall or bulwark, and other works; to take and appropriate lands for a public park; and for other purposes.

lxxiii. An Act for incorporating the Holywell and District Water Company and empowering them to construct Waterworks and supply Water and for other purposes.

P. lxxiv. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Aberdeen, Alum Bay, Greenock, Sandown, and Teignmouth.

P. lxxv. An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to Waterworks in the City of Limerick.

P. lxxvi. An Act to confirm a Provisional Order for the Regulation of Ewer Common, situated in the parish of Alverstoke, in the county of Southampton, in pursuance of a report of the Land Commissioners for England.

P. lxxvii. An Act to confirm a Provisional Order for the Regulation of Laindon Common, situated in the parish of Laindon, in the county of Essex, in pursuance of a report from the Land Commissioners for England.

lxxviii. An Act for dissolving the Farnborough (Surrey and Hants) District Waterworks Company Limited and re-incorporating the members thereof with others and for enabling them to construct Waterworks and supply Water and for other purposes.

lxxix. An Act for extending the periods limited for the compulsory purchase of lands for and for the completion of certain of the authorised works of the Hull Barnsley and West Riding Junction Railway and Dock Company and for the abandonment of other of their authorised works for authorising the construction of a new railway by the Company and for other purposes.

lxxx. An Act to authorise the Bexley Heath Railway Company to extend their railway to Blackheath to abandon a portion of their authorised railway and for other purposes.

lxxxi. An Act to authorise the North British Railway Company to make a Railway in the county of Linlithgow; to amalgamate with the Company the undertaking of the Glasgow City and District Railway Company; to subscribe to the undertaking of the Anstruther and St. Andrews Railway Company; to amend various Acts; and for other purposes.

P. lxxxii. An Act to confirm an Order of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Aldington, Saint Leonard, Hythe, and West Hythe.

P. lxxxiii. An Act to confirm certain Provisional Orders of the Local Government Board under the provisions of the Gas and Water Works Facilities Act, 1870, the Gas and Water Works Facilities Act, 1870, Amendment Act, 1873, and the Public Health Act, 1875, relating to the Local Government Districts of East Dereham and Meltham.

P. lxxxiv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Abergele and Pensarn, the District of Bilston, the Boroughs of Bradford (Yorks.) and Evesham, the Improvement Act District of Leek, the Local Government Districts of Leyton and Wanstead, and the Borough of Ramsgate.

lxxxv. An Act to provide for the levying of the Assessments under the Public Libraries (Scotland) Acts in the City of Edinburgh; and for other purposes.

lxxxvi. An Act for authorising the release of the balance of the deposit fund remaining deposited as security for the completion of certain of the tramways authorised by the Coventry and District Tramways Act 1880.

lxxxvii. An Act to authorise the levying of rates at the Cattedown Wharves Plymouth and for other purposes.

lxxxviii. An Act to re-incorporate with further powers the Blyth and Cowpen Gaslight Company Limited.

lxxxix. An Act to authorise the Sutton District Water Company to raise further capital and for other purposes.

xc. An Act to dissolve the Dundalk Gas Company Limited and to incorporate a new Company; and for other purposes.

xci. An Act to enable the Walton-on-Thames and Weybridge Gas Company to acquire additional land and to erect and maintain additional works to raise further capital and for other purposes.

xcii. An Act to authorise the Town Commissioners of Dundalk to apply their funds and to raise further funds for the purchase of the works and undertaking of the Dundalk Gas Company; and for other purposes.

xciii. An Act to confer further powers upon the Great Northern Railway Company with respect to their own undertaking and undertakings in which they are jointly interested and upon the Halifax High Level and North and South Junction Railway Company with respect to their undertaking and for other purposes.

xciv. An Act to enable the Governor and Company of Chelsea Waterworks to dispose of certain lands and for other purposes.

xcv. An Act for empowering the Shoreham Harbour Trustees to raise money by the creation and issue of Debenture Stock and for amending the New Shoreham Harbour Acts; and for other purposes.

xcvi. An Act for incorporating the Flamborough Head Tramways Company and empowering them to construct Tramways and other works in the East Riding of the County of York and for other purposes.

P. xcvii. An Act to correct an Error in the Charter of Incorporation granted to the Borough of Christchurch in the County of Southampton.

xcviii. An Act to revive and extend the powers granted to the Kilsyth and Bonnybridge Railway Company for the compulsory purchase of certain lands and to extend the time for the completion of their authorised railways to enable the Company to raise further capital and for other purposes.

P. xcix. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Alverstoke, the Boroughs of Dewsbury, Great Torrington, Halifax, and Nottingham, and the Rural Sanitary District of the Saint Thomas Union.

P. c. An Act to confirm an Order made by the Board of Trade under the Sea Fisheries Act, 1868, relating to Poole (Wareham Channel).

P. ci. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area at Shadwell within the Metropolis.

P. cii. An Act to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of an unhealthy area at Saint Giles-in-the-Fields within the Metropolis.

ciii. An Act to increase the baronial guarantee authorised by the Kenmare Junction Railway Act 1884; to extend the time for the purchase of lands and completion of the railway; and for other purposes.

civ. An Act to authorise the General Commissioners for Drainage by the River Witham to widen and improve Hobhole Sluice and to confer further powers upon those Commissioners and upon the District Commissioners under the Witham Drainage Acts and for other purposes.

cv. An Act to empower the City of London and Southwark Subway Company to extend their authorised Subway from the Elephant and Castle to Kennington and Stockwell and for other purposes.

cvi. An Act to confer further Powers on the Metropolitan Board of Works as to Streets Bridges and open Spaces as to the Drainage of a detached portion of Clerkenwell Parish and for other purposes.

cvii. An Act for authorising the Weston-super-Mare Improvement Commissioners to acquire additional lands to construct additional works and to raise further Moneys for the purposes of their Water undertaking and to make further and better provision for the Improvement Health and good Government of the Urban Sanitary District of Weston-super-Mare and for other purposes.

cviii. An Act for the abandonment of the railways authorised by the Merionethshire Railway Act 1871.

cix. An Act to enable the Manchester Ship Canal Company to raise a portion of their Capital by means of preference shares.

cx. An Act for conferring further powers with reference to the South-eastern Railway Company's undertaking and the undertakings of other Companies and for other purposes.

P. cxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the City of Bath, the Local Government Districts of Birstal and Dalton-in-Furness, the City of Newcastle-upon-Tyne, and the Borough of Southport.

P. cxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Burnley, the Urban Sanitary District of Folkestone, the Local Government District of Garw and Ogmore, the Rural Sanitary District of the Newport (Mon.) Union, and the Borough of Stafford.

P. cxiii. An Act to confirm a Provisional Order of the Local Government Board for Ireland constituting the Township of Killiney and Ballybrack an Urban Sanitary District.

cxiv. An Act to authorise the Trustees of the Town and Harbour of Whitehaven to make arrangements with their Bondholders and other Creditors and for other purposes.

cxv. An Act to provide for the improvement and maintenance of the Navigation of the River Trent from Wilden Ferry in the counties of Derby and Leicester or one of them to Gainsborough in the county of Lincoln and for other purposes.

cxvi. An Act to amalgamate the undertakings of the Cowes and Newport the Isle of Wight (Newport Junction) and the Ryde and Newport Railway Companies; and for other purposes.

cxvii. An Act to enable the Pudsey Coal Gas Company to raise further capital; and for other purposes.

P. cxviii. An Act to amend the Municipal Corporations (Ireland) Act so far as relates to the Borough of Belfast.

P. cxix. An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for Christchurch (extra municipal), Monmouth, to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same.

P. cxx. An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same.

cxxi. An Act for rendering valid certain Letters Patent granted to Richard Potter for Improvements in Furnaces for melting Glass.

P. cxxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Buxton, the Borough of Halifax, and the Local Government Districts of Otley, Southwick, and Sowerby Bridge.

P. cxxiii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Dudley, Netherton, Old Hill, and Cradley Tramways, Newport Pagnell and District Tramways, Norwich Tramways, Wolverton and Stony Stratford Tramways (Deanshanger Extension), and Worcester Tramways.

P. cxxiv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Beverley Water, Freshwater and Yarmouth Water, Hoylake and West Kirby Water, Poole Water, and West Lulworth Water.

P. cxxv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Bedford Gas, Long Melford Gas, Musselburgh Gas, Penmaenmawr Gas, and Portsea Gas.

cxxvi. An Act for conferring further powers on the Liskeard and Caradon Railway Company in relation to their undertaking and for authorising arrangements between them and other railway companies and for other purposes.

cxxvii. An Act to extend the powers of the mayor aldermen and burgesses of the borough of Belfast for the purification of the River Lagan and for the construction of works in connexion therewith and for other purposes.

cxxviii. An Act for the granting of further powers to the Tunbridge Wells Gas Company.

cxxix. An Act to authorise the Cathcart District Railway Company to construct a railway from their authorised railway at New Cathcart to join the Caledonian Railway at Strathbungo to revive the powers and extend the time for the compulsory purchase of lands for and to extend the time for the completion of their authorised railway No. 1 to abandon their authorised railway No. 3 to raise further capital and for other purposes.

cxxx. An Act for conferring further powers on the Furness Railway Company in relation to their undertaking and for other purposes.

cxxxi. An Act for conferring further powers upon the London and North-Western Railway Company in relation to their own undertaking and other undertakings in which they are interested jointly with other companies and also for conferring powers upon the Great Western Railway Company the Lancashire and Yorkshire Railway Company and other railway companies in relation to such other undertakings and for amalgamating with their under taking the undertaking of the Cromford and High Peak Railway Company and for other purposes.

cxxxii. An Act to enable the mayor aldermen and burgesses of the borough of Bradford to establish and maintain a "Conditioning House" for ascertaining and certifying on behalf of persons so desiring the weight length quality and condition of articles of merchandise used in the Bradford worsted trade and the true weight character quality and condition of wools; to authorize the transfer of the Bradford Fever Hospital to the said mayor aldermen and burgesses; and for other purposes.

cxxxiii. An Act to authorise the Freshwater Yarmouth and Newport Railway Company to deviate portions of their authorised railway and for other purposes.

cxxxiv. An Act to enable the Newport and Pillgwenlly Waterworks Company to construct additional Works and raise additional Capital and for other purposes.

cxxxv. An Act to amend the Saint Pancras Loans Act 1879 and for other purposes.

cxxxvi. An Act to confer further powers upon the Metropolitan Railway Company with reference to their undertaking and their surplus lands and other matters; and for other purposes.

cxxxvii. An Act to authorise the acquisition of Clissold Park, Stoke Newington, and its utilisation for public purposes.

cxxxviii. An Act to confer further powers on the Great North of Scotland Railway Company.

cxxxix. An Act to revive the Powers for the compulsory purchase of Lands for and to extend the time limited for the completion of the Railways authorised by the Mersey Docks and Harbour Board (Overhead Railways) Act 1882; and to authorise the Mersey Docks and Harbour Board to make and maintain additional Overhead Railways; and for other purposes.

cxl. An Act to empower the Plymouth Devonport and South Western Junction Railway Company to attach a preference to part of their authorised Capital and to vary their borrowing powers and for other purposes.

cxli. An Act for providing for the release of a portion of the money deposited in respect of the application to Parliament for the Borough of Portsmouth Kingston Fratton and Southsea Tramways Act 1883; and for other purposes.

cxlii. An Act for incorporating the St. Austell Valleys Railway and Dock Company and authorising them to purchase the St. Austell and Pentewan Railway and to convert and maintain the same and to make and maintain new Railways and Works in the county of Cornwall in connection therewith and to purchase and maintain Pentewan Dock and for other purposes.

cxliii. An Act to extend the time for the compulsory purchase of lands for and for the completion of the railways authorised by the Burry Port and North-western Junction Railway Act 1876 and the Burry Port and North-western Junction Railway Amendment Act 1881.

P. **cxliv.** An Act to confirm a Provisional Order under the Public Health (Scotland) Act, 1867, relating to Cowdenbeath Water.

P. **cxlv.** An Act to confirm a Provisional Order under the Public Health (Scotland) Act, 1867, relating to Duntocher and Dalmuir Water.

cxlvi. An Act to confer further powers on the Midland Great Western Railway of Ireland Company.

cxlvii. An Act for enabling the Tees Conservancy Commissioners to consolidate their debt by the creation and issue of Debenture Stock and to raise further moneys and for amending the Tees Conservancy Acts and for other purposes.

cxlviii. An Act for enabling the National Provident Institution to sue and be sued and for other purposes.

cxlix. An Act for enabling the Local Board for the District of Willesden in the County of Middlesex to appoint building inspectors to be paid by means of fees for extending the powers of the Board with respect to the regulation of the width of streets and the lines of frontage therein and with respect to the making of bye-laws and with respect to infectious diseases; and for other purposes.

cl. An Act for incorporating the East Huntingdonshire Water Company and empowering them to construct Works and supply Water and for other purposes.

P. **cli.** An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to a New Street in Dublin, and to Grand Jury Cess in the county and borough of Wexford, and to Waterworks in Strabane.

clii. An Act to alter the names of the borough and of the Corporation of Over Darwen; to extend the limits of gas supply of the Corporation, and to confer upon them further powers in relation to their water and gas undertakings; to make further provision for the improvement and good government of the borough; to authorise the creation of Corporation stock; and for other purposes.

cliii. An Act to enable the Mayor Aldermen and Burgesses of the Borough of Weymouth and Melcombe Regis to make a new Pier and new Streets and Street Improvements, and to make further provision for the improvement and good government of the borough; and for other purposes.

cliv. An Act for enabling the Caledonian Railway Company to widen and extend the lines leading into their Central Station in Glasgow, to make a Branch Railway to Midcalder, to open their Kinbuck Tunnel, to acquire lands there and at Aberdeen, and to raise additional money; for extending the time for completing a Railway in the parish of Rutherglen; for making further provision regarding their lands at Blythswoodholm; for making certain altera-

tions on their Officers and Servants Provident Fund; for carrying out certain arrangements between them and the Montrose Harbour Trustees; and for other purposes.

clv. An Act to empower the Corporation of Plymouth to make additional Waterworks and to create and issue Corporation Stock and for other purposes.

clvi. An Act to confer further powers on the Metropolitan District Railway Company and for other purposes.

P. **clvii.** An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Caterham and District Gas, Sunbury Gas, and Stowmarket Water.

P. **clviii.** An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Boscombe.

P. **clix.** An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in Ballyshannon, Greencastle, and Kinlough.

clx. An Act to empower the Banbury and Cheltenham Direct Railway Company to abandon certain of their authorised railways; to confer further powers upon them with reference to capital; and for other purposes.

clxi. An Act for conferring further powers upon the Great Eastern Railway Company and for authorising a lease to that Company of the Ely and Newmarket Railway; and for other purposes.

clxii. An Act for consolidating under one management the Harbours and Piers of Kirkwall, Scapa and Holm, and of Gill, Whitehall (Stronsay) and Kettletoft, in the county of Orkney; for the amendment of the Acts and Provisional Orders relating to those harbours and piers; and for other purposes.

clxiii. An Act to extend the Boundaries of the Borough of Reading and for other purposes.

clxiv. An Act to authorise the Shanklin and Chale Railway Company to make certain branch railways in connection with their authorized railway in the Isle of Wight; and for other purposes.

clxv. An Act to give effect to a scheme for the consolidation and conversion of the Capital of the East London Railway Company made under section 32 of the East London Railway Act 1882 and for other purposes.

clxvi. An Act to amend section 12 of the Croydon Gas Act 1877.

clxvii. An Act to amend the Liverpool Waterworks Acts; to authorise an Improvement of Chisenhale Street; and for other purposes.

clxviii. An Act to extend the time for completing and opening the Brighton and Dyke Railway.

clxix. An Act to authorise the Construction of Railways from or near the Booterstown Station of the Dublin Wicklow and Wexford Railway Company to the Great Southern and Western Railway at Inchicore with Junctions to connect the same with other Railways; and for other purposes.

clxx. An Act to revive and extend the time for purchasing Lands and completing the Railways and Works authorised by the Kingsbridge and Salcombe Railway Act 1882; and for other purposes.

clxxi. An Act to extend the powers of the South Wales Colliery Company (Limited).

clxxii. An Act for enabling the Metropolitan Board of Works to make a new means of communication across the River Thames by means of a Tunnel or Subway at Blackwall.

clxxiii. An Act for the construction of certain Railways between the Holy Loch near Dunoon and Lochgilphead Ardrishaig and Crinan Loch with Piers in connection therewith all in the county of Argyll and for other purposes.

clxxiv. An Act to make better provision for the management and maintenance of the Free Library the Gallery of Art and School of Science and Art in the Borough of Wolverhampton.

clxxv. An Act to revive and extend the powers of the Cleveland Extension Mineral Railway Company.

clxxvi. An Act to authorise the Pontypridd Caerphilly and Newport Railway Company to construct a Railway in the counties of Glamorgan and Monmouth in substitution for the Railway authorised by their Act of 1882 and for other purposes.

clxxvii. An Act to authorise the construction of Street Tramways in the Burghs of Greenock and Port Glasgow in the County of Renfrew and for other purposes.

clxxviii. An Act to provide for vesting the undertaking of the Company of Proprietors of the Sheffield Waterworks in the Mayor Aldermen and Burgesses of the borough of Sheffield; and for other purposes.

P. **clxxix.** An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Chesham and Hindley, the City of Norwich, and the Richmond and West Kent Main Sewerage Districts.

P. **clxxx.** An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Blackpool, the Improvement Act District of Bournemouth, the Borough of Dewsbury and the Local Government District of Heckmondwike, and the Improvement Act Districts of Milford, Rhyl, and West Worthing.

clxxxi. An Act to confer further powers on the Didcot Newbury and Southampton Railway Company.

clxxxii. An Act for authorising the construction of a Railway in the North Riding of the County of York to be called the Easingwold Railway and for other purposes.

clxxxiii. An Act for conferring further powers on the Peckham and East Dulwich Tramways Company.

clxxxiv. An Act to authorise the widening of Parliament Street Charles Street and Delahay Street and the making of new streets and the taking of lands in the Parish of Saint Margaret Westminster in the City of Westminster and County of Middlesex and for other purposes.

clxxxv. An Act to incorporate a company for the construction of a railway from Welshpool to Llanfair in the county of Montgomery and for other purposes.

clxxxvi. An Act for limiting the liabilities of the Tees Conservancy Commissioners with respect to damage to lands arising from floods from the River Tees through or over their river banks and other works; and for other purposes.

P. **clxxxvii.** An Act for the acquisition of Property and the provision of new Buildings for the Bankruptcy Department.

clxxxviii. An Act to make further provision with reference to the capital and undertaking of the City of Dublin Junction Railways authorised by the Dublin Wicklow and Wexford Railway (City of Dublin Junction Railways) Act 1884 and for other purposes.

clxxxix. An Act for further extending the time for the completion of the works authorised by the Drainage and Improvement of Lands Supplemental Act (Ireland) 1880 as extended by the Commissioners of Public Works in Ireland.

cxc. An Act to enable the Easton and Church Hope Railway Company to alter the levels of a portion of their existing railway; to abandon a portion of their authorised railway; to construct new railways, and for other purposes.

cxci. An Act for incorporating the Chew Valley Tramway Company and empowering them to construct a Tramway and other works in the County of Somerset and for other purposes.

cxcii. An Act to authorise the Brighton Rottingdean and Newhaven Direct Railway Company to make a Railway in Brighton in connexion with their authorised Railway, and for other purposes.

cxciii. An Act to authorise the Mersey Railway Company to extend their Railway in Liverpool and Birkenhead and for other purposes.

cxciv. An Act for conferring further powers on the Lynton Railway Company for the construction of works and for other purposes.

P. **cxcv.** An Act to amend an Act intituled "An Act to further amend the law relating to Turnpike Roads in South Wales."

P. **cxcvi.** An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Birmingham Central Tramways (Extension), Bristol Tramways, Burnley and District Tramways, and Burnley and District Tramways Extension, Macclesfield Tramways, Oldham, Ashton-under-Lyne, Hyde, and District Tramways, West Metropolitan Tramways, and Weymouth Tramways.

cxcvii. An Act to authorise the construction of a Railway in the County of Cork to be called the Kanturk and Newmarket Railway and for other purposes.

cxcviii. An Act for making further provision respecting the capital and undertaking of the Crystal Palace Company and for other purposes.

cxcix. An Act to amend the Ogmore Dock and Railway Act 1883.

cc. An Act for extending the limits of supply of the West Gloucestershire Water Company and for conferring further powers on the Company in relation to their undertaking and for other purposes.

cci. An Act to authorise the construction of Railways in Lincolnshire to be called the Lincoln Horncastle Spilsby and Skegness Railway and for other purposes.

PRIVATE ACT,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for vesting the Hampton Court Estate in the County of Hereford in Trustees and for re-imbursing John Hungerford Arkwright Esquire certain sums expended by him in the permanent improvement of that Estate.

PRIVATE ACTS,

NOT PRINTED.

AN Act to dissolve the Marriage of Harriett Frances Gifford with James Richard Gifford and to enable her to marry again and for other purposes.

An Act to dissolve the Marriage of William Hewat (formerly of 102 St. Stephen's Green, South, but now of 18 Westmoreland-street, in the City of Dublin), Merchant, with Agnes Anna Hewat, his now Wife, and to enable him to marry again, and for other purposes.

An Act to Dissolve the Marriage of Ringrose Atkins of Lower Grange in the County of Waterford in Ireland Esquire Doctor of Medicine with Mary Ellen Atkins his now Wife and to enable him to marry again and for other purposes.

A LIST OF THE LOCAL AND PRIVATE ACTS,

(50 & 51 Vict., 1887,)

ARRANGED IN CLASSES.

Class 1.—Bridges and Ferries.
„ 2.—Canals, Rivers, Navigations, Tunnels, and Subways.
„ 3.—Charitable Foundations and Institutions.
„ 4.—Drainages and Drainage Embankments.
„ 5.—Ecclesiastical Affairs, including Tithes.
„ 6.—Estates.
„ 7.—Fisheries.
„ 8.—Gaslight Companies.
„ 8a.—Electric Light Companies, &c.
„ 9.—Harbours, Docks, Ports, Piers, Quays, &c.
Class 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.
„ 11.—Inclosures of Commons.
„ 12.—Parish Affairs.
„ 13.—Personal Affairs.
„ 14.—Railways.
„ 15.—Trading and other Companies.
„ 16.—Tramways.
„ 17.—Turnpike and other Roads.
„ 18.—Water Companies.
„ 19.—Provisional Orders Confirmation.

Class 1.—Bridges and Ferries.

Lagan Bridge (Empowering Corporation of Belfast to construct a new Bridge over the River Lagan). Ch. xxiii.

Taff River, &c. (Authorising the Corporation of Cardiff to construct Bridges over the River Taff and the Glamorganshire Canal, with roads, &c.) Ch. lx.

Class 2.—Canals, Rivers, Navigations, Tunnels, and Subways.

City of London and Southwark Subway (Extension from Elephant and Castle to Kennington and Stockwell). Ch. cv.

Clyde Navigation (Extending periods limited by Act of 1883 for compulsory purchase of lands and for completion of railway, and conferring further powers on the Trustees and on the Clyde Pilot Board). Ch. viii.

Erne Lough and River Navigation (Further extending the time for the completion of works). Ch. clxxxix.

Frome River (Enabling Corporation of Bristol to make a culvert for the relief of the floods in the River Frome). Ch. xxii.

Manchester Ship Canal (Enabling Company to raise a portion of their capital by means of preference shares). Ch. cix.

Tees Conservancy, No. 1 (Limiting the liabilities of the Commissioners with respect to damage to lands arising from floods from the River Tees through or over their river banks and other works). Ch. clxxxvi.

Tees Conservancy, No. 2 (Enabling Commissioners to consolidate their debt by the creation and issue of Debenture Stock, and to raise further moneys; amending Acts) Ch. cxlvii.

Thames Tunnel, Blackwall (Enabling the Metropolitan Board of Works to make a new means of communication across the River Thames by means of a Tunnel or Subway at Blackwall). Ch. clxxii.

Trent (Burton-upon-Trent and Humber) Navigation (Providing for the improvement and maintenance of the Navigation from Wilden Ferry to Gainsborough). Ch. cxv.

Class 3.—Charitable Foundations and Institutions.

Aberdeen Royal Infirmary and Lunatic Asylum (Incorporating the President and Managers of). Ch. lv.

Class 4.—Drainages and Drainage Embankments.

Belfast Main Drainage (Extending the powers of the Corporation of Belfast for the purification of the River Lagan, &c.). Ch. cxxvii.
Clerkenwell (Conferring further powers on the Metropolitan Board of Works as to the drainage of a detached portion of Clerkenwell parish). Ch. cvi.
Witham Drainage (Authorising the widening and improvement of Hobhole Sluice, and conferring further powers upon the General Commissioners and upon the District Commissioners). Ch. civ.

[*For Act confirming Provisional Order under the Drainage and Improvement of Lands (Ireland) Act, see* Class 19 (2).]

Class 5.—Ecclesiastical Affairs, including Tithes.

Nil.

Class 6.—Estates.

Arkwright Estate (Vesting the Hampton Court Estate in the county of Hereford in Trustees, and for reimbursing John Hungerford Arkwright, Esquire, certain sums expended by him in the permanent improvement of that Estate). Ch. 1 (*Private*).

Class 7.—Fisheries.

Poole—Wareham Channel (Confirming Order of the Board of Trade relating to Oyster and Mussel Fisheries). Ch. c.

Class 8.—Gaslight Companies.

Barnet District Gas and Water (Enabling Company to extend limits of Water supply, to construct new Waterworks, and to raise additional Capital). Ch. ii.
Basingstoke (Incorporating the Basingstoke Gas and Coke Company). Ch. lxvi.
Blyth and Cowpen (Re-incorporating the Limited Company). Ch. lxxxviii.
Cardiff (Further capital, additional lands, and new works). Ch. xxxix.
Cockermouth (Transferring the undertaking of the Cockermouth Gaslight and Coke Company to the Cockermouth Local Board). Ch. xlvii.
Croydon (Amending section 12 of Act of 1877). Ch. clxvi.
Dundalk (Dissolving the Limited Company and incorporating a new Company). Ch. xc.
Dundalk (Authorising Town Commissioners of Dundalk to purchase the Company's works and undertaking). Ch. xcii.
Kirkheaton, Dalton, and Lepton (Dissolving Company, and re-incorporating). Ch. xx.
Northampton (Further powers). Ch. xvi.
Pudsey (Further Capital). Ch. cxvii.
Tunbridge Wells (Further powers). Ch. cxxviii.
Walton-on-Thames and Weybridge (Additional land and works; further capital). Ch. xci.

[*For Acts confirming Provisional Orders under the Gas and Water Works Facilities Acts, &c., see* Class 19 (4), (7*a*).]

Class 8A.—Electric Light Companies, &c.

Nil.

Class 9.—Harbours, Docks, Ports, Piers, Quays, &c.

Barry Dock and Railways (Further powers). Ch. liv.

Clyde, Ardrishaig, and Crinan Railway, &c. (Authorising the construction of certain Railways, with Piers in connexion therewith). Ch. clxxiii.

Felixstowe Pier, &c. (Authorising sale to Great Eastern Railway Company of the part of Felixstowe Company's undertaking authorised by Felixstowe Act of 1875, and changing the name of the Felixstowe Railway and Dock Company to the Felixstowe Dock and Railway Company). Ch. lxvii.

Hull, Barnsley, and West Riding Junction Railway and Dock (Transferring certain powers of Company to Hull and North-western Junction Railway Company). Ch. lxii.

Hull, Barnsley, and West Riding Junction Railway and Dock (Extending periods for compulsory purchase of lands for and for completion of certain authorised works, for abandonment of other works, and construction of new Railway). Ch. lxxix.

Mersey Docks and Harbour (Overhead Railways). Ch. cxxxix.

Millwall Dock (Conferring further powers on the Millwall Dock Company). Ch. xxvii.

Montrose Harbour (Carrying out certain arrangements between the Caledonian Railway Company and the Trustees). Ch. cliv.

New Shoreham Harbour (Empowering the Shoreham Harbour Trustees to raise money by Debenture Stock, and amending Acts). Ch. xcv.

Ogmore Dock and Railway (Amending the Act of 1883). Ch. cxcix.

Orkney Harbours (Consolidating under one management the harbours and piers of Kirkwall, Scapa and Holm, and of Gill, Whitehall (Stronsay), and Kettletoft; amending Acts and Orders relating to those harbours and piers). Ch. clxii.

Pentewan Dock (Incorporating the St. Austell Valleys Railway and Dock Company, and authorising them to purchase and maintain Pentewan Dock, &c.). Ch. cxlii.

Southampton Harbour (Amending and extending the Acts relating to the Southampton Harbour Board). Ch. lii.

Southend Piers (Authorising Local Board of Southend to acquire a portion of the foreshore, and to make and maintain new piers, &c.). Ch. v.

Weymouth and Melcombe Regis (Enabling the Corporation to make a new Pier, &c.). Ch. cliii.

Whitehaven Harbour and Dock (Authorising Trustees of the Town and Harbour of Whitehaven to make arrangements with their bondholders and other creditors). Ch. cxiv.

[*For Acts confirming Provisional Orders under the General Pier and Harbour Act, see* Class 19 (5).]

Class 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.

Bankruptcy Offices Site (For the acquisition of property and the provision of new buildings for the Bankruptcy Department). Ch. clxxxvii.

Belfast (Empowering Corporation to construct a new Bridge over the River Lagan). Ch. xxiii.

Belfast (Amending the Municipal Corporations (Ireland) Act, so far as relates to the borough of). Ch. cxviii.

Belfast (Extending powers of Corporation for the purification of the River Lagan, &c.). Ch. cxxvii.

Class 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.—*continued.*

Blackburn (Extending time for construction of Corporation Tramways authorised by Improvement Act of 1882). Ch. xlvi.

Bradford (Enabling Corporation to establish a "Conditioning House," and authorising transfer of Bradford Fever Hospital to the Corporation). Ch. cxxxii.

Bristol (Enabling the Corporation to make a culvert for the relief of the floods in the River Frome). Ch. xxii.

Cardiff (Authorising Corporation to construct Bridges over the River Taff and the Glamorganshire Canal, with roads, &c.). Ch. lx.

Carlisle (Extending boundary; conferring further powers upon the Corporation with respect to their Gas and Water undertakings, &c.; providing for consolidation of Corporation loans, &c.). Ch. xix.

Christchurch (Correcting error in Charter of Incorporation granted to the Borough of Christchurch, Southampton). Ch. xcvii.

City of London (Introducing Vote by Ballot and further regulating Municipal Elections within). Ch. xiii.

Clissold Park, Stoke Newington (Authorising its acquisition and utilisation for public purposes). Ch. cxxxvii.

Cockermouth (Transferring to Local Board the undertaking of the Cockermouth Gaslight and Coke Company). Ch. xlvii.

Darwen (Altering the names of the borough and of the Corporation of Over Darwen; extending limits of gas supply of the Corporation, &c.; making further provision for the improvement, &c. of the borough, and authorising creation of Corporation stock). Ch. clii.

Dundalk (Authorising Town Commissioners to purchase the works and undertaking of the Dundalk Gas Company). Ch. xcii.

Dundee (Authorising the Dundee Police Commissioners to abandon portions of their existing Tramways, and to make a new Tramway; to construct a sea wall, &c.; and to take lands for a public park). Ch. lxxii.

Edinburgh (Improvement of certain districts within, and execution of works in the Water of Leith and Mill-leads thereof, &c.). Ch. vi.

Edinburgh (Providing for the levying of the Assessments under the Public Libraries (Scotland) Acts in the city of). Ch. lxxxv.

Glasgow Barony Parochial Board (Extinguishing a right of way over the lands of Woodilee belonging to the Board, and enabling them to make and maintain a footpath in lieu thereof). Ch. xxiv.

Hyde Park Corner (Providing for maintenance of the new Streets at). Ch. lxiii.

Liverpool (Amending the Liverpool Waterworks Acts; authorising an improvement of Chisenhale Street). Ch. clxvii.

London, City of. *See* City of London.

Manchester (Conferring further powers on the Corporation with reference to superfluous lands). Ch. xxv.

Metropolitan Board of Works (Conferring further powers as to streets, bridges, and open spaces, and as to drainage of detached portion of Clerkenwell parish). Ch. cvi.

Metropolitan Board of Works (Enabling the Board to make a new means of communication across the River Thames by means of a Tunnel or Subway at Blackwall). Ch. clxxii.

Over Darwen. *See* Darwen.

Paisley. *See* Renfrew and Paisley.

Plymouth (Empowering Corporation to make additional Waterworks and to create and issue Corporation Stock). Ch. clv.

Reading (Extending the boundaries of the borough). Ch. clxiii.

Renfrew and Paisley (Enabling the Renfrew Commissioners of Supply to erect and maintain new county buildings, and transferring the existing county and burgh buildings to the Town Council of Paisley, &c.). Ch. xxi.

Saint Pancras, Middlesex (Amending the Saint Pancras Loans Act, 1879). Ch. cxxxv.

Class 10.—Improvements in Towns, Municipal and County and Local Government Matters, Markets, &c.—*continued.*

Sheffield (Making provision for vesting in the Corporation the undertaking of the Sheffield Waterworks Company). Ch. clxxviii.

Southend (Authorising Local Board to acquire a portion of the foreshore, and to make and maintain new piers and a street). Ch. v.

Wakefield (Making further provision in relation to Water Supply, Health, Local Government, and improvement of the borough, and empowering Corporation to create and issue Corporation Stock). Ch. lxxi.

Westminster—Parliament Street, &c. (Authorising the widening of Parliament Street, Charles Street, and Delahay Street, and the making of new streets, &c.). Ch. clxxxiv.

Weston-super-Mare (Authorising Improvement Commissioners to acquire additional lands, to construct additional works, and to raise further moneys for their Water undertaking; making further and better provision for the improvement, &c. of the district). Ch. cvii.

Weymouth and Melcombe Regis (Enabling the Corporation to make a new pier and new streets, &c., and to make further provision for the improvement and good government of the borough). Ch. cliii.

Willesden (Enabling the Local Board to appoint building inspectors; extending the powers of the Board with respect to the regulation of the width of streets, &c., and with respect to byelaws and infectious diseases). Ch. cxlix.

Wolverhampton (Making better provision for the management and maintenance of the Free Library, the Gallery of Art, and School of Science and Art). Ch. clxxiv.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class, see* Class 19 (1), (7), (8), (9), (10).]

Class 11.—Inclosures of Commons.

[*For Acts confirming Provisional Orders in pursuance of Reports of the Land Commissioners for England, see* Class 19 (6).]

Class 12.—Parish Affairs.

[*For Acts confirming Provisional Orders under Elementary Education Act and Poor Law Acts, &c., see* Class 19 (3), (7 *c*), (9).]

Class 13.—Personal Affairs.

Dissolutions of Marriage.

Atkins, Ringrose (Dissolving the marriage of, with Mary Ellen Atkins, and enabling him to marry again). (*Not printed.*)

Gifford, Harriett Frances (Dissolving the marriage of, with James Richard Gifford, and enabling her to marry again). (*Not printed.*)

Hewat, William (Dissolving the marriage of, with Agnes Anna Hewat, and enabling him to marry again). (*Not printed.*)

Patent.

Potter, Richard (Rendering valid certain Letters Patent granted to him for Improvements in Furnaces for melting Glass). Ch. cxxi.

Class 14.—Railways.

Ayrshire and Wigtownshire (Incorporating Company for maintaining and working of the Girvan and Portpatrick Junction Railway). Ch. xl.

Banbury and Cheltenham Direct (Empowering Company to abandon certain Railways, and conferring further powers upon them with reference to Capital). Ch. clx.

Barry Dock and Railways (Further powers). Ch. liv.

Bexley Heath (Authorising extension to Blackheath, and abandonment of portion of authorised Railway). Ch. lxxx.

Bishop's Castle and Montgomery (Abandonment). Ch. lxviii.

Brighton and Dyke (Extension of time). Ch. clxviii.

Brighton, Rottingdean, and Newhaven Direct (Authorising Company to make a Railway in Brighton in connexion with their authorised Railway). Ch. cxcii.

Burry Port and North-western Junction (Extension of time). Ch. cxliii.

Caledonian (Various powers). Ch. cliv.

Cathcart District (Authorising Company to construct a new Railway; reviving powers and extending time; abandonment of Railway No. 3; further capital). Ch. cxxix.

Cleveland Extension Mineral (Reviving and extending powers). Ch. clxxv.

Clyde, Ardrishaig, and Crinan (Authorising the construction of certain Railways, with Piers in connexion therewith). Ch. clxxiii.

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Downham and Stoke Ferry (Abandonment of portion of authorised Railways). Ch. lxv.

Dublin, Wicklow, and Wexford—City of Dublin Junction Railways (Making further provision with reference to the capital and undertaking). Ch. clxxxviii.

Easingwold (Incorporating Company). Ch. clxxxii.

East London (Giving effect to a scheme for the consolidation and conversion of the Capital). Ch. clxv.

Easton and Church Hope (Enabling Company to alter the levels of a portion of their existing Railway; to abandon a portion of their authorised Railway, and to construct new Railways). Ch. cxc.

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Felixstowe. *See* Great Eastern and Felixstowe.

Felixstowe and Bawdsey Ferry Railway (Incorporating Company). Ch. xxvi.

Freshwater, Yarmouth, and Newport (Deviations). Ch. cxxxiii.

Furness (Further powers). Ch. cxxx.

Golden Valley (Authorising Company to raise further money; extending time for completion of Railway authorised by Act of 1884). Ch. liii.

Great Eastern (General powers; authorising a lease to Company of the Ely and Newmarket Railway). Ch. clxi.

Great Eastern and Felixstowe (Authorising sale to Great Eastern Company of the part of Felixstowe Company's undertaking authorised by Felixstowe Act of 1875, and changing the name of the Felixstowe Railway and Dock Company to the Felixstowe Dock and Railway Company). Ch. lxvii.

Great Northern (Conferring further powers upon the Great Northern Company and upon the Halifax High Level and North and South Junction Company). Ch. xciii.

Great North of Scotland (Further powers). Ch. cxxxviii.

Halifax High Level and North and South Junction. *See* Great Northern.

Highland (Further powers). Ch. xxviii.

Hull and North-western Junction (Incorporating Company, and transferring to such Company certain powers of the Hull, Barnsley, and West Riding Junction Railway and Dock Company). Ch. lxii.

Hull, Barnsley, and West Riding Junction Railway and Dock (Transferring certain powers of Company to Hull and North-western Junction Company). Ch. lxii.

Hull, Barnsley, and West Riding Junction Railway and Dock (Extending periods for compulsory purchase of lands for and for completion of certain authorised works, for abandonment of other works, and construction of new Railway). Ch. lxxix.

Class 14.—Railways—*continued.*

Isle of Wight Central (Amalgamating the undertakings of the Cowes and Newport, the Isle of Wight (Newport Junction), and the Ryde and Newport Companies). Ch. cxvi.
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Kenmare Junction (Increasing baronial guarantee authorised by Act of 1884 ; extending time). Ch. ciii.
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Liskeard and Caradon (Further powers ; authorising arrangements with other Companies). Ch. cxxvi.
Llangammarch and Neath and Brecon Junction (Extension of time). Ch. xliv.
London and North-western (Conferring further powers upon the Company, and also conferring powers upon the Great Western Company, the Lancashire and Yorkshire Company, and other Companies; and amalgamating with Company's undertaking the Cromford and High Peak Railway). Ch. cxxxi.
London, Brighton, and South Coast (Various Powers). Ch. xxix.
London, Hendon, and Harrow (Abandonment). Ch. xxxvii.
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Manchester, Sheffield, and Lincolnshire (Further powers). Ch. xvii.
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Mersey (Authorising Company to extend their Railway in Liverpool and Birkenhead). Ch. cxciii.
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Newark and Ollerton (Incorporating Company). Ch. lxix.
North British (Authorising Company to make a Branch Railway, to amalgamate with the Company the Glasgow City and District Railway, and to subscribe to the undertaking of the Anstruther and St. Andrews Railway Company ; amending various Acts). Ch. lxxxi.
North-eastern (New Railways). Ch. l.
Ogmore Dock and Railway (Amending the Act of 1883). Ch. cxcix.
Plymouth, Devonport, and South-western Junction (Empowering Company to attach a preference to part of their capital, and varying their borrowing powers). Ch. cxl.
Pontypridd, Caerphilly, and Newport (Authorising Company to construct a Railway in substitution for that authorised by their Act of 1882). Ch. clxxvi.
Regent's Canal, City, and Docks (Extension of time). Ch. li.
Rhymney (Further powers). Ch. vii.
St. Austell Valleys Railway and Dock (Incorporating Company, and authorising them to purchase the St. Austell and Pentewan Railway and the Pentewan Dock, &c.). Ch. cxlii.
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South-eastern (Further powers). Ch. cx.
Stratford-upon-Avon, Towcester, and Midland Junction (Authorising Company to create and issue Debenture Stock). Ch. xiv.
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Class 15.—Trading and other Companies.

Banffshire Solicitors Society (Winding up and dissolution). Ch. xxxvi.
Burnard and Alger's Cattedown Wharves (Authorising the levying of rates). Ch. lxxxvii.
Clerical, Medical, and General Life Assurance Society (Amending Act of 1850, and making further provisions as to Capital, &c.). Ch. x.
Crystal Palace Company (Making further provision respecting the capital and undertaking). Ch. cxcviii.
Edinburgh Chartered Accountants Annuity, &c. Fund (Establishing a Fund for providing Annuities, &c. to Members of the Society of Accountants in Edinburgh, and to their widows, &c.). Ch. xi.
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National Assurance Company of Ireland (Amending Act of 1876, and making further provision with respect to the Charter and Capital, &c.). Ch. xlviii.
National Provident Institution (Enabling the Institution to sue and be sued). Ch. cxlviii.
South Wales Colliery Company, Limited (Extending powers). Ch. clxxi.

Class 16.—Tramways.

Accrington Corporation Steam (Dissolving and re-incorporating the Limited Company, and authorising the Haslingden and Rawtenstall Extension). Ch. lvi.
Blackburn Corporation (Extension of time for construction of Tramways authorised by Blackburn Improvement Act, 1882). Ch. xlvi.
Brentford and District (Extension of time). Ch. xli.
Chew Valley (Incorporating Company). Ch. cxci.
Coventry and District (Authorising release of balance of deposit fund remaining under Act of 1880). Ch. lxxxvi.
Dublin Southern District (Providing for release of deposit money in respect of the Act of 1883). Ch. xliii.
Dundee (Authorising the Dundee Police Commissioners to abandon portions of their existing Tramways, and to make a new Tramway). Ch. lxxii.
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[*For Acts confirming Provisional Orders under Tramways Act, see* Class 19 (12).]

Class 17.—Turnpike and other Roads.

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Class 17.—Turnpike and other Roads—*continued.*

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Chelsea (Enabling Company to dispose of certain lands). Ch. xciv.
East Huntingdonshire (Incorporating Company). Ch. cl.
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Holywell and District (Incorporating Company). Ch. lxxiii.
Newport (Enabling the Newport and Pillgwenlly Waterworks Company to construct additional works and raise additional Capital). Ch. cxxxiv.
Sheffield (Making provision for vesting Company's undertaking in the Corporation of Sheffield). Ch. clxxviii.
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Sutton District (Further Capital). Ch. lxxxix.
West Gloucestershire (Extending limits of supply, and conferring further powers). Ch. cc.

[*For Acts confirming Provisional Orders under the Gas and Water Works Facilities Act, see* Class 19 (4).]

Class 19.—Provisional Orders Confirmation.

(1.) *Under Artizans and Labourers Dwellings Improvement Acts*, 1875–85:
Order of Secretary of State for the improvement of an unhealthy area at Cable Street, Shadwell, within the Metropolis. Ch. ci.
Order for the improvement of an unhealthy area at Shelton Street, St. Giles-in-the-Fields, within the Metropolis. Ch. cii.

(2.) *Under Drainage and Improvement of Lands (Ireland) Act*, 1863:
Order under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same, relating to the Follistown Drainage District (Meath). Ch. i.

(3.) *Under Elementary Education Act*, 1870:
Order of the Education Department under the Elementary Education Act, 1870, relating to the School Board for Christchurch (extra-municipal), Monmouth. Ch. cxix.
Order relating to the School Board for London. Ch. cxx.

(4.) *Under Gas and Water Works Facilities Act*, 1870:
Orders of the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Bedford Gas, Long Melford Gas, Musselburgh Gas, Penmaenmawr Gas and Portsea Gas. Ch. cxxv.
Orders relating to Caterham and District Gas, Sunbury Gas, and Stowmarket Water Ch. clvii.
Orders relating to Beverley Water, Freshwater and Yarmouth Water, Hoylake and West Kirby Water, Poole Water, and West Lulworth Water. Ch. cxxiv.
See also (7*a*).

Class 19.—Provisional Orders Confirmation—*continued.*

(5.) *Under General Pier and Harbour Act*, 1861:

Orders of the Board of Trade under the General Pier and Harbour Act, 1861, relating to Aberdeen, Alum Bay, Greenock, Sandown, and Teignmouth. Ch. lxxiv.

Order relating to Boscombe. Ch. clviii.

(6.) *Under Inclosure Acts*, 1845-78:

Order for the Regulation of Ewer Common, situated in the parish of Alverstoke (Southampton), in pursuance of a Report of the Land Commissioners for England. Ch. lxxvi.

Order for the Regulation of Laindon Common, situated in the parish of Laindon (Essex). Ch. lxxvii.

(7.) *Under Local Government and other Acts:*

(*a*) *Gas and Water Works Facilities Acts*, 1870 *and* 1873, *and Public Health Act*, 1875:

Orders of the Local Government Board under the provisions of the Gas and Water Works Facilities Act, 1870, the Gas and Water Works Facilities Act, 1870, Amendment Act, 1873, and the Public Health Act, 1875, relating to the Local Government Districts of East Dereham and Meltham. Ch. lxxxiii.

(*b*) *Highways and Locomotives Act*, 1878:

Order of the Local Government Board under the Highways and Locomotives (Amendment) Act, 1878, relating to the North Riding of the County of York. Ch. lvii.

(*c*) *Poor Law Acts:*

Orders of the Local Government Board under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, relating to the Parishes of Birtley, Carlton Little, Cockerington North, Cockerington South, Ludford Magna, Ludford Parva, Reston North, Swaby, Theddlethorpe All Saints, and Theddlethorpe Saint Helen's; and to the Townships of Bagby, Belleau, Chollerton, Dalton, and Louth Park. Ch. lviii.

Orders relating to the Parishes of Asterby, Cowbit, Curdworth, Dalderby, Durston, Goulceby, Langton, Lyng, Mareham-le-Fen, Pinchbeck, Revesby, Scrivelsby, Spalding, Tattershall, Thimbleby, Thornton, and Woodhall; to the Township of Tattershall Thorpe, and to the Hamlet of Minworth. Ch. lix.

Order relating to the Parishes of Aldington, Saint Leonard, Hythe, and West Hythe. Ch. lxxxii.

(*d*) *Public Health Act*, 1875:

Orders of the Local Government Board relating to the Local Government District of Aldershot, the Improvement Act District of Bethesda, the Local Government District of Bridlington, the Borough of Cheltenham, the Local Government District of Epsom, the Special Drainage District of Merton Rush, the Local Government District of Pontypool, the Borough of Saint Helen's, and the Improvement Act District of Surbiton. Ch. xlix.

Orders relating to the Local Government District of Abergele and Pensarn, the District of Bilston, the Boroughs of Bradford (Yorks.) and Evesham, the Improvement Act District of Leek, the Local Government Districts of Leyton and Wanstead, and the Borough of Ramsgate. Ch. lxxxiv.

Orders relating to the Local Government District of Alverstoke, the Boroughs of Dewsbury, Great Torrington, Halifax, and Nottingham, and the Rural Sanitary District of the Saint Thomas Union. Ch. xcix.

Orders relating to the Local Government District of Buxton, the Borough of Halifax, and the Local Government Districts of Otley, Southwick, and Sowerby Bridge. Ch. cxxii.

Orders relating to the Local Government Districts of Chesham and Hindley, the City of Norwich, and the Richmond and West Kent Main Sewerage Districts. Ch. clxxix.

Orders relating to the City of Bath, the Local Government Districts of Birstal and Dalton-in-Furness, the City of Newcastle-upon-Tyne, and the Borough of Southport. Ch. cxi.

Class 19.—Provisional Orders Confirmation—*continued.*

(7.) *Under Local Government and other Acts*—continued.

(*d*) *Public Health Act*, 1875—continued.

Orders relating to the Borough of Blackpool, the Improvement Act District of Bournemouth, the Borough of Dewsbury and the Local Government District of Heckmondwike, and the Improvement Act Districts of Milford, Rhyl, and West Worthing. Ch. clxxx.

Orders relating to the Borough of Burnley, the Urban Sanitary District of Folkestone, the Local Government District of Garw and Ogmore, the Rural Sanitary District of the Newport (Mon.) Union, and the Borough of Stafford. Ch. cxii.

See also (*a*).

(8.) *Under Local Government* (*Ireland*) *and other Acts:*

(*a*) *Public Health* (*Ireland*) *Act*, 1878:

Order of the Local Government Board for Ireland relating to the Town of Carrick-on-Suir. Ch. xviii.

Order relating to Waterworks in the city of Limerick. Ch. lxxv.

Order constituting the Township of Killiney and Ballybrack an Urban Sanitary District. Ch. cxiii.

Orders relating to a new Street in Dublin, and to Grand Jury Cess in the county and borough of Wexford, and to Waterworks in Strabane. Ch. cli.

Orders relating to Waterworks in Ballyshannon, Greencastle, and Kinlough. Ch. clix.

(9.) *Under Metropolitan Police Act*, 1886:

Order of one of Her Majesty's Principal Secretaries of State under the Metropolitan Police Act, 1886, relating to lands in the Parishes of Leyton (Essex) and Coulsdon (Surrey). Ch. xxxi.

(10.) *Under Public Health* (*Scotland*) *Act*, 1867:

Order of Secretary for Scotland under the Public Health (Scotland) Act, 1867, relating to Cowdenbeath Water. Ch. cxliv.

Order relating to Duntocher and Dalmuir Water. Ch. cxlv.

(11.) *Under Sea Fisheries Act*, 1868:

Order* of the Board of Trade under the Sea Fisheries Act, 1868, relating to Poole (Wareham Channel). Ch. c.

(12.) *Under Tramways Act*, 1870:

Orders of the Board of Trade under the Tramways Act, 1870, relating to Birmingham Central Tramways (Extension), Bristol Tramways, Burnley and District Tramways and Burnley and District Tramways Extension, Macclesfield Tramways, Oldham, Ashton-under-Lyne, Hyde, and District Tramways, West Metropolitan Tramways, and Weymouth Tramways. Ch. cxcvi.

Orders relating to Dudley, Netherton, Old Hill, and Cradley Tramways, Newport Pagnell and District Tramways, Norwich Tramways, Wolverton and Stony Stratford Tramways (Deanshanger Extension), and Worcester Tramways. Ch. cxxiii.

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* This Order relates to Oyster and Mussel Fisheries.

TABLES

SHOWING

THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE A.—Acts of 50 & 51 Vict. (in order of Chapter), showing their effect on former Acts.

TABLE B.—Acts of former Sessions (in chronological order) Repealed and Amended by Acts of 50 & 51 Vict.

(A.)

Acts of 50 & 51 Vict. (in order of Chapter), showing their effect on former Acts.

CH.

1. CONSOLIDATED FUND (No. 1) (13,329,876*l.*) [U.K.]

2. ARMY (ANNUAL) [U.K.]
   Continues, and amends, 44 & 45 Vict. c. 58., Army Act, 1881.

3. COUNTY COURTS (EXPENSES) [E.]
   Amends 19 & 20 Vict. c. 108., } County Courts Acts, 1856 and 1866.
   „ 29 & 30 Vict. c. 14., }

4. MERCHANT SHIPPING (FISHING BOATS) [E. & I. Section 12 extends to Scotland.]
   Amends, extends, and to be construed with, 46 & 47 Vict. c. 41., Merchant Shipping (Fishing Boats) Act, 1883.
   Applies Merchant Shipping Acts.
   „ 42 & 43 Vict. c. 72., Shipping Casualties Investigations Act, 1879.

5. ISLE OF MAN (CUSTOMS) [E.]

6. SUPREME COURT OF JUDICATURE (IRELAND) [I.]
   Amends, and to be construed with, 40 & 41 Vict. c. 57., Supreme Court of Judicature Act (Ireland), 1877.
   „ 45 & 46 Vict. c. 70., Supreme Court of Judicature (Ireland) Act, 1882.

7. CUSTOMS CONSOLIDATION ACT, 1876, AMENDMENT [U.K.]
   Amends 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876.

8. INCUMBENTS OF BENEFICES LOANS EXTENSION ACT, 1886, AMENDMENT [E.]
   Amends 49 & 50 Vict. c. 34., Incumbents of Benefices Loans Extension Act, 1886.

9. POLICE DISABILITIES REMOVAL [E. & S.]
   Repeals in part the following Acts:—
   10 Geo. 4. c. 44., Police (Metropolis).
   2 & 3 Vict. c. 93., County and District Constables.
   2 & 3 Vict. c. xciv. (*Private*), City of London Police.
   19 & 20 Vict. c. 2., Metropolitan Police.
   19 & 20 Vict. c. 69., Police, Counties and Boroughs.
   23 & 24 Vict. c. 135., Metropolitan Police Force, Dockyards.
   20 & 21 Vict. c. 72., Police (Scotland).
   Amends 19 & 20 Vict. c. 2., Metropolitan Police.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

10. DUKE OF CONNAUGHT'S LEAVE [India.]

11. CONVERSION OF INDIA STOCK [U.K.]

12. TRURO BISHOPRIC AND CHAPTER ACTS AMENDMENT [E.]
Amends 39 & 40 Vict. c. 54., Bishopric of Truro Act, 1876.
,, 41 & 42 Vict. c. 44., Truro Chapter Act. 1878.
Applies 41 & 42 Vict. c. 68., Bishoprics Act, 1878.
,, 36 & 37 Vict. c. 39., Cathedral Acts Amendment Act, 1873.
,, 33 & 34 Vict. c. 39., Ecclesiastical Patronage Act, 1870.

13. PENSIONS (COLONIAL SERVICE) [U.K.]
Amends, applies, and to be construed as one with, 22 Vict. c. 26., Superannuation Act, 1859, and 28 & 29 Vict. c. 113. and 35 & 36 Vict. c. 29., Colonial Governors (Pensions) Acts, 1865 and 1872.

14. CONSOLIDATED FUND (No. 2) (13,675,659*l.*) [U.K.]

15. CUSTOMS AND INLAND REVENUE [U.K.]
Customs and Excise:
Continues Import Duties on Tea (6*d.* the pound).
Alters duties and drawback on Tobacco.
Stamps:
Reduces duty on certain sea policies, and limits time for stamping foreign sea policies.
Alters duties on transfers of debenture stock, &c.
Amends 33 & 34 Vict. c. 97., Stamp Act, 1870.
,, 44 & 45 Vict. c. 12., Customs and Inland Revenue Act, 1881.
Provides for composition for certain stamp duties.
Amends 43 & 44 Vict. c. 20., Inland Revenue Act, 1880.
,, 33 & 34 Vict. c. 24., Metropolitan Board of Works (Loans) Act, 1870.
Income Tax:
Grants duties of Income Tax, and applies former Acts.

16. NATIONAL DEBT AND LOCAL LOANS [U.K.]
Repeals 43 Vict. c. 15., National Debt Act, 1880.
,, 48 & 49 Vict. c. 43., National Debt Act, 1885.
,, 49 & 50 Vict. c. 19., National Debt Act, 1886.
Amends 38 & 39 Vict. c. 45., Sinking Fund Act, 1875.
,, 38 & 39 Vict. c. 89., Public Works Loans Act, 1875.
,, 40 & 41 Vict. c. 27., Public Works Loans (Ireland) Act, 1877.
,, 42 & 43 Vict. c. 77., Public Works Loans Act, 1879.
,, 43 & 44 Vict. c. 36., Savings Bank Act, 1880.
,, 44 & 45 Vict. c. 55., National Debt Act, 1881.
,, 46 & 47 Vict. c. 54., National Debt Act, 1883.
,, 47 & 48 Vict. c. 2., National Debt Act, 1884.
,, 47 & 48 Vict. c. 23., National Debt (Conversion of Stock) Act, 1884.

17. METROPOLIS MANAGEMENT (BATTERSEA AND WESTMINSTER) [E.]
Amends, and to be construed with, 18 & 19 Vict. c. 120., Metropolis Management Act, 1855, &c.
,, 25 Geo. 2. c. 23., Relief and Employment of the Poor in Westminster, &c.
Separates Battersea from Wandsworth district (s. 4).
Dissolves district board of Westminster, and incorporates united vestry.

18. TRUSTS (SCOTLAND) ACT, 1867, AMENDMENT [S.]
Amends 30 & 31 Vict. c. 97., Trusts (Scotland) Act, 1867.

19. QUARRIES (FENCING) [E.]

20. CRIMINAL LAW AND PROCEDURE (IRELAND) [I.]
Continues for five years 44 & 45 Vict. c. 5., Peace Preservation (Ireland) Act, 1881, as amended by 49 & 50 Vict. c. 24.
Applies 14 & 15 Vict. c. 93., Petty Sessions (Ireland) Act, 1851.
,, 39 & 40 Vict. c. 78., Juries Procedure (Ireland) Act, 1876.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

21. WATER COMPANIES (REGULATION OF POWERS) [E.]
Limits the powers of the Water Companies to cut off the tenants water supply where the rate is paid by the landlord.
This Act applies to every Water Company supplying water for profit, and every special Act and Provisional Order is deemed to be amended (*see* s. 3).

22. PUBLIC LIBRARIES ACTS AMENDMENT [E. (except City of London.)]
Amends, and to be construed with, the Public Libraries (England) Acts, 1855 to 1884; viz.,—

18 & 19 Vict. c. 70.	40 & 41 Vict. c. 54.
29 & 30 Vict. c. 114.	47 & 48 Vict. c. 37.
34 & 35 Vict. c. 71.	

Applies 38 & 39 Vict. c. 55., Public Health Act, 1875.

23. INCUMBENTS RESIGNATION ACT, 1871, AMENDMENT [E.]
Amends, and to be construed with, 34 & 35 Vict. c. 44., Incumbents Resignation Act, 1871.

24. CROFTERS HOLDINGS (SCOTLAND) [S.]
Amends, and to be read as part of, 49 & 50 Vict. c. 29., Crofters Holdings (Scotland) Act, 1886.

25. PROBATION OF FIRST OFFENDERS [E.]
Permits the conditional release of first offenders in certain cases.

26. ALLOTMENTS AND COTTAGE GARDENS COMPENSATION FOR CROPS [E. (except the Metropolis.)]

27. MARKETS AND FAIRS (WEIGHING OF CATTLE) [U.K.]
Applies 10 & 11 Vict. c. 14., Markets and Fairs Clauses Act, 1847.

28. MERCHANDISE MARKS [U.K.]
Consolidates and amends the Law relating to Fraudulent Marks on Merchandise.
Repeals 25 & 26 Vict. c. 88., Merchandise Marks Act, 1862.
„ (as from a day fixed by regulations) section 2 of 46 & 47 Vict. c. 55., Revenue Act, 1883.
Applies Summary Jurisdiction Acts.
„ 46 & 47 Vict. c. 57., Patents, &c. Act, 1883.
„ 22 & 23 Vict. c. 17., Vexatious Indictments Act, 1859.
„ 39 & 40 Vict. c. 36., Customs Consolidation Act, 1876.

29. MARGARINE [U.K.]
Makes further provision for protecting the public against the fraudulent sale of margarine.
Applies 38 & 39 Vict. c. 63., Sale of Food and Drugs Act, 1875.

30. SETTLED LAND ACTS (AMENDMENT) [E. & I.]
Amends 45 & 46 Vict. c. 38., Settled Land Act, 1882, and Act to be construed as one therewith and with the Act of 1884 (47 & 48 Vict. c. 18.).

31. METROPOLITAN BOARD OF WORKS (MONEY) [E.]
Amends 49 & 50 Vict. c. 44., Metropolitan Board of Works (Money) Act, 1886.
Act to be construed with Metropolitan Board of Works (Loans) Acts, 1869 to 1871, and Metropolitan Board of Works (Money) Acts, 1875 to 1886.
Applies Main Drainage Acts.
„ 18 & 19 Vict. c. 120., Metropolis Management Act, 1855.
„ 46 & 47 Vict. c. 27., Metropolitan Board of Works (Money) Act, 1883.
Incorporates sections 27 to 43 of 48 & 49 Vict. c. 50., Metropolitan Board of Works (Money) Act, 1885.
Empowers Board to expend moneys for purposes described in First Schedule.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

32. OPEN SPACES [E. & I.]
Amends, extends, and may be read with, 40 & 41 Vict. c. 35. and 44 & 45 Vict. c. 34., Metropolitan Open Spaces Acts, 1877 and 1881.
Amends 47 & 48 Vict. c. 72., Disused Burial Grounds Act, 1884.
Applies 38 & 39 Vict. c. 55., Public Health Act, 1875.
,, 41 & 42 Vict. c. 52., Public Health (Ireland) Act, 1878.

33. LAND LAW (IRELAND) [I.]
Amends 44 & 45 Vict. c. 49., Land Law (Ireland) Act, 1881.
,, 48 & 49 Vict. c. 73., Purchase of Land (Ireland) Act, 1885.
,, 33 & 34 Vict. c. 46., Landlord and Tenant (Ireland) Act, 1870.
,, 35 & 36 Vict. c. 32., Landlord and Tenant (Ireland) Act, 1872.
Applies Land Law (Ireland) Acts.
,, 11 & 12 Vict. c. 47., Evicted Destitute Poor (Ireland).
,, 23 & 24 Vict. c. 154., Landlord and Tenant Law Amendment Act (Ireland), 1860.
,, 40 & 41 Vict. c. 56., County Officers and Courts (Ireland) Act, 1877.
,, 40 & 41 Vict. c. 57., Supreme Court of Judicature Act (Ireland), 1877.
,, 44 & 45 Vict. c. 41., Conveyancing and Law of Property Act, 1881.
,, 45 & 46 Vict. c. 38., Settled Land Act, 1882.

34. LONDON PARKS AND WORKS [E.]
Transfers (from 1st November 1887) the following London parks and works from the Commissioners of Works to the Metropolitan Board of Works: Victoria Park, Battersea Park, Kennington Park, Bethnal Green Museum Garden, Chelsea Embankment, and Westminster Bridge.
Amends and applies 40 & 41 Vict. c. viii., Metropolitan Board of Works Act, 1877.
,, ,, 45 & 46 Vict. c. lvi., Metropolitan Board of Works (Various Powers) Act, 1882.
,, 35 & 36 Vict. c. 53., Victoria Park.

35. CRIMINAL PROCEDURE (SCOTLAND) [S.]
Simplifies and amends the criminal law of Scotland and its procedure, and alters the constitution of the Justiciary and Sheriff Courts in Scotland.
Repeals so much of the Act of William the Third passed in 1701, for preventing wrongous imprisonment, &c., as relates to the prevention of undue delay in trials.
Repeals (with proviso) all statutes, laws, regulations, and usages inconsistent or at variance with the provisions of this Act (s. 74).
Act not to apply to treason.

36. LIEUTENANCY CLERKS ALLOWANCES [E. & S.
Repealing in part (except as to clerks first appointed before the passing of this Act) the following Acts:—
7 Geo. 4. c. 58., Yeomanry Cavalry and Volunteers (Great Britain).
26 & 27 Vict. c. 65., Volunteers (Great Britain).

37. PUBLIC WORKS LOANS [U.K.]
Grants 2,000,000*l.* for Public Works Loans, and 1,000,000*l.* for Public Works Loans in Ireland.
Grants 30,000*l.* for loans by Fishery Board for Scotland.
Applies 50 & 51 Vict. c. 16., National Debt and Local Loans Act, 1887.
Enacts that certain debts specified in Schedule shall not be reckoned as assets of Local Loans Fund.
Applies Basses Lights Fund towards additional lighthouses in Ceylon.

38. PUBLIC-HOUSES, HOURS OF CLOSING (SCOTLAND) [S.]
Amends, and to be construed as one with, 25 & 26 Vict. c. 35., Public-houses (Scotland) Acts Amendment Act, 1862.
,, 39 & 40 Vict. c. 26., Publicans Certificates (Scotland) Act, 1876.
Applies Licensing (Scotland) Acts.

39. LUNACY DISTRICTS (SCOTLAND) [S.]
Act to be construed with 20 & 21 Vict. c. 71., Lunatics (Scotland) Act, 1857.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

40. SAVINGS BANKS [U.K.]
Repeals in part the following Acts (that is, certain Enactments relating to Post Office Savings Banks, as set out in the First Schedule):
9 Geo. 4. c. 92., Savings Banks.
5 & 6 Will. 4. c. 57., Savings Banks.
7 & 8 Vict. c. 83., Savings Banks, &c.
46 & 47 Vict. c. 47., Provident Nominations and Small Intestacies.
Repeals in part the following Acts (that is, certain Enactments relating to Trustee Savings Banks, as set out in the Second Schedule):
26 & 27 Vict. c. 87., Trustee Savings Banks.
46 & 47 Vict. c. 47., Provident Nominations and Small Intestacies.
Amends 24 & 25 Vict. c. 14., Post Office Savings Banks.
,, 43 & 44 Vict. c. 36., Savings Banks.
,, 45 & 46 Vict. c. 51., Government Annuities.
Extends Post Office Savings Banks Acts and Government Annuities Acts to the Channel Islands and the Isle of Man.

41. SHERIFF OF LANARKSHIRE [S.]
Removes doubts as to his appointment, and confirms the same.

42. PUBLIC LIBRARIES CONSOLIDATION (SCOTLAND) [S.]
Repeals 30 & 31 Vict. c. 37.,
,, 34 & 35 Vict. c. 59.,
,, 40 & 41 Vict. c. 54.,
,, 47 & 48 Vict. c. 37.,
} Public Libraries (Scotland) Acts, 1867 to 1884.
Incorporates parts of 8 & 9 Vict. c. 19., Lands Clauses Consolidation (Scotland) Act, 1845, and also parts of 10 & 11 Vict. c. 16., Commissioners Clauses Act, 1847.
Applies 8 & 9 Vict. c. 83., Poor Law Amendment (Scotland).

43. STANNARIES [E.]
Amends 32 & 33 Vict. c. 19., Stannaries Act, 1869.
Extends to this Act s. 23 of 18 & 19 Vict. c. 32., Stannaries Court, Cornwall, Amendment of Jurisdiction.
Applies 25 & 26 Vict. c. 89., Companies Act, 1862.
,, to stannaries court s. 17 of 1 & 2 Vict. c. 110., Imprisonment for Debt.
This Act extends only to metalliferous mines and tin streaming works within the stannaries, and is to be construed as one with all former Acts relating to the court of the vice-warden of the stannaries.

44. TRINIDAD AND TOBAGO [C.]
Enables Her Majesty by Order in Council to unite the above Colonies.
Repeals in part (from and after the date of union, and so far as relates to Tobago) 39 & 40 Vict. c. 47., St. Vincent, &c. Constitution.

45. METROPOLITAN POLICE [E.]
Further amends the enactments relating to offices, stations, and buildings for the Metropolitan Police Force.
Amends 49 & 50 Vict. c. 22., Metropolitan Police Act, 1886.

46. TRUCK AMENDMENT [U.K.]
Amends and extends the law relating to Truck.
Amends, and to be construed with, 1 & 2 Will. 4. c. 37., Truck Act, 1831.
Repeals (in whole or in part) the following Acts:—
12 Geo. 1. c. 34. in pt., Master and Servant.
22 Geo. 2. c. 27. s. 12 in pt. Master and Servant.
30 Geo. 2. c. 12. ss. 2 and 3, Master and Servant.
57 Geo. 3. c. 115., Master and Servant.
57 Geo. 3. c. 122., Master and Servant, &c.
1 & 2 Will. 4. c. 37. in pt., Truck Act, 1831.
Applies Summary Jurisdiction Acts and Summary Jurisdiction (Ireland) Acts.
,, 14 & 15 Vict. c. 90., Fines (Ireland) Act, 1851.

47. TRUSTEE SAVINGS BANKS [U.K.]
Provides for examination into the affairs of Trustee Savings Banks, &c.
Applies Companies Acts.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

48. ALLOTMENTS [E.]
Facilitates the provision of allotments for the labouring classes.
Incorporates (except certain provisions) 8 & 9 Vict. c. 18., Lands Clauses Consolidation Act, 1845.
Applies 38 & 39 Vict. c. 55. (Public Health Act, 1875), and incorporates certain sections thereof.
,, 28 & 29 Vict. c. 27., Costs (Private Bills).
,, 35 & 36 Vict. c. 33., Ballot Act, 1872.

49. CHARITABLE TRUSTS [E.]
Amends, and to be construed as one with, the following Acts:—
16 & 17 Vict. c. 137.,
18 & 19 Vict. c. 124.,
23 & 24 Vict. c. 136.,
32 & 33 Vict. c. 110.,
} Charitable Trusts Acts, 1853 to 1869.

50. APPROPRIATION [U.K.]

51. VALUATION OF LANDS (SCOTLAND) AMENDMENT [S.]
Amends 30 & 31 Vict. c. 80., Valuation of Lands (Scotland) Amendment Act, 1867.

52. SECRETARY FOR SCOTLAND [S.]
Amends, and to be construed with, 48 & 49 Vict. c. 61., Secretary for Scotland Act, 1885.
Transfers to Secretary for Scotland certain powers and duties of Secretary of State, Treasury, and Board of Trade.

53. ESCHEAT (PROCEDURE) [E.]
Repeals (with proviso) the Acts mentioned in the Schedule to the Act.

54. BRITISH SETTLEMENTS [U.K., &c.]
Repeals (with proviso) the following Acts:—
6 & 7 Vict. c. 13.,
23 & 24 Vict. c. 121.,
} Government of Settlements on the Coast of Africa and in the Falkland Islands.

55. SHERIFFS [E.]
Consolidates the Law relating to the office of Sheriff in England.
Repeals (with proviso) the Acts specified in the Third Schedule, to the extent mentioned therein. [*These Acts will be found in chronological order in Table B., pages* 422 *and* 423.]
Applies 45 & 46 Vict. c. 50., Municipal Corporations Act, 1882.

56. FRIENDLY SOCIETIES [U.K.]
Amends 38 & 39 Vict. c. 60., Friendly Societies Act, 1875.
Repeals 39 & 40 Vict. c. 32., Friendly Societies Amendment Act, 1876.
,, 42 Vict. c. 9., Friendly Societies Act, 1879.
,, 45 & 46 Vict. c. 35., Friendly Societies (Quinquennial Returns) Act, 1882.
,, 48 & 49 Vict. c. 27., Friendly Societies Amendment Act, 1885.

57. DEEDS OF ARRANGEMENT [E. & I.]
Amends 46 & 47 Vict. c. 52., Bankruptcy Act, 1883.
Applies 38 & 39 Vict. c. 77., Supreme Court of Judicature Act, 1875.
,, 40 & 41 Vict. c. 57., Supreme Court of Judicature Act (Ireland), 1877.

58. COAL MINES REGULATION [U.K.]
Repeals 35 & 36 Vict. c. 76., Coal Mines Regulation Act, 1872.
,, 44 & 45 Vict. c. 26., Stratified Ironstone Mines (Gunpowder) Act, 1881.
,, 49 & 50 Vict. c. 40., Coal Mines Act, 1886.
Applies 41 & 42 Vict. c. 49., Weights and Measures Act, 1878.
,, 38 & 39 Vict. c. 55., Public Health Act, 1875; 30 & 31 Vict. c. 100., Public Health (Scotland) Act, 1867; and 41 & 42 Vict. c. 52., Public Health (Ireland) Act, 1878.
,, Summary Jurisdiction Acts.
,, 27 & 28 Vict. c. 53., Summary Procedure Act, 1864.
,, 20 Geo. 2. c. 43., Heritable Jurisdictions (Scotland), &c.
,, 14 & 15 Vict. c. 90., Fines Act (Ireland), 1851.
,, 14 & 15 Vict. c. 93., Petty Sessions (Ireland) Act, 1851.
This Act applies to mines of coal, mines of stratified ironstone, mines of shale, and mines of fire-clay.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

59. STATUTE LAW REVISION [U.K.]
Repeals (subject to certain exceptions and qualifications) the enactments described in the Schedule to the Act.

60. PRISONS (OFFICERS' SUPERANNUATION, SCOTLAND) [S.]
Amends 41 & 42 Vict. c. 63., Prison (Officers' Superannuation) Act, 1878.

61. LOCAL GOVERNMENT (BOUNDARIES) [E. (except the Metropolis.)]
Applies 38 & 39 Vict. c. 55., Public Health Act, 1875.

62. MERCHANT SHIPPING (MISCELLANEOUS) [U.K.]
Repeals [*query*] 14 & 15 Vict. c. 102. s. 48., Seamen's Fund Winding-up Act, 1851.
Repeals 43 & 44 Vict. c. 22. s. 4., Merchant Shipping (Fees and Expenses) Act, 1880.
Amends 25 & 26 Vict. c. 63., Merchant Shipping Act Amendment Act, 1862.
Explains s. 31 of 17 & 18 Vict. c. 104., Merchant Shipping Act, 1854.
Applies Public Record Acts.
Explains meaning of "lighthouses."

63. EXPIRING LAWS CONTINUANCE [U.K.]
Continues (as specified in Schedule) the following Acts, and any unrepealed enactments amending the same; viz.:—
5 & 6 Will. 4. c. 27., Linen, &c. Manufactures (Ireland).
3 & 4 Vict. c. 89., Poor Rates (Stock in Trade Exemption).
4 & 5 Vict. c. 30., Survey of Great Britain.
4 & 5 Vict. c. 35., Land Commissioners.
4 & 5 Vict. c. 59., Application of Highway Rates to Turnpike Roads.
10 & 11 Vict. c. 98., Ecclesiastical Jurisdiction.
11 & 12 Vict. c. 32., County Cess (Ireland).
14 & 15 Vict. c. 104., Episcopal and Capitular Estates Management.
17 & 18 Vict. c. 102., Corrupt Practices Prevention.
23 & 24 Vict. c. 19., Dwellings for Labouring Classes (Ireland).
24 & 25 Vict. c. 109., Salmon Fishery (England).
26 & 27 Vict. c. 105., Promissory Notes.
27 & 28 Vict. c. 20., Promissory Notes, &c. (Ireland).
28 & 29 Vict. c. 46., Militia Ballots Suspension.
28 & 29 Vict. c. 83., Locomotives on Roads.
29 & 30 Vict. c. 52., Prosecution Expenses.
31 & 32 Vict. c. 125., Parliamentary Elections.
32 & 33 Vict. c. 21., Election Commissioners Expenses.
32 & 33 Vict. c. 56., Endowed Schools (Schemes).
34 & 35 Vict. c. 87., Sunday Observance Prosecutions.
35 & 36 Vict. c. 33., Parliamentary and Municipal Elections (Ballot).
36 & 37 Vict. c. 48., Regulation of Railways.
38 & 39 Vict. c. 48., Police Expenses.
38 & 39 Vict. c. 84., Returning Officers Expenses.
39 & 40 Vict. c. 21., Juries (Ireland).
41 & 42 Vict. c. 41., Returning Officers Expenses (Scotland).
41 & 42 Vict. c. 72., Sale of Liquors on Sunday (Ireland).
43 Vict. c. 18., Parliamentary Elections.
45 & 46 Vict. c. 59., Educational Endowments (Scotland).
46 & 47 Vict. c. 35., Diseases Prevention, Metropolis.
46 & 47 Vict. c. 51., Corrupt and Illegal Practices Prevention.
47 & 48 Vict. c. 70., Municipal Elections (Corrupt and Illegal Practices).
49 & 50 Vict. c. 42., Revising Barristers.

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43 & 44 Vict. c. 42., Employers Liability.

64. TECHNICAL SCHOOLS (SCOTLAND) [S.]
This Act to be construed, so far as consistent with the tenor thereof, as one with the Education (Scotland) Acts, 1872 to 1883.

65. MILITARY TRAMWAYS [E. & S.]
Applies 33 & 34 Vict. c. 78., Tramways Act, 1870.

66. BANKRUPTCY (DISCHARGE AND CLOSURE) [E.]
Applies 46 & 47 Vict. c. 52., Bankruptcy Act, 1883.
,, 40 & 41 Vict. c. 55., Public Records Office Act, 1877.

Table A.—Acts of 50 & 51 Vict. (in order of Chapter), &c.—*continued.*

CH.

67. SUPERANNUATION [U.K., &c.]
Amends 4 & 5 Will. 4. c. 24., Superannuation Act, 1834.
,, 6 & 7 Will. 4. c. 13., Constabulary Force (Ireland).
,, 7 Will. 4. & 1 Vict. c. 25., Police of Dublin Metropolis.
,, 2 & 3 Vict. c. 47., Metropolitan Police.
,, 2 & 3 Vict. c. 93., County and District Constables.
,, 22 Vict. c. 26., Superannuation Act, 1859.
,, 22 & 23 Vict. c. 32., Police in Counties and Boroughs.
,, 33 & 34 Vict. c. 96., Appropriation of Supplies.
Repeals 31 & 32 Vict. c. 90., Payments by Public Departments.
,, 35 & 36 Vict. c. 12., Superannuation Act, 1872.

68. PLURALITIES [E.]
Explains section 26 of 1 & 2 Vict. c. 106., Pluralities Act, 1838.

69. CONVEYANCING (SCOTLAND) ACTS (1874 AND 1879) AMENDMENT [S.]
Amends 37 & 38 Vict. c. 94., } Conveyancing (Scotland) Acts.
,, 42 & 43 Vict. c. 40., }

70. APPELLATE JURISDICTION [U.K.]
Amends 39 & 40 Vict. c. 59., Appellate Jurisdiction Act, 1876.
,, 3 & 4 Will. 4. c. 41., Better Administration of Justice (Privy Council).

71. CORONERS [E.]
Consolidates the law relating to Coroners.
Repeals the Acts specified in the Third Schedule, to the extent therein mentioned.
[*These Acts will be found in chronological order in Table B., p.* 424.]

72. LOCAL AUTHORITIES (EXPENSES) [E.]

73. COPYHOLD [E.]
Amends the Copyhold Acts, and makes further provision for the enfranchisement of copyhold and customary lands.
Amends 6 & 7 Vict. c. 23., Copyhold Act, 1843.
,, 15 & 16 Vict. c. 51., Copyhold Act, 1852.
,, 21 & 22 Vict. c. 94., Copyhold Act, 1858.
Applies 44 & 45 Vict. c. 41., Conveyancing and Law of Property Act, 1881.

(B.)

Acts of former Sessions (in Chronological Order) Repealed and Amended by Acts of 50 & 51 Vict.

(*For Acts repealed by the Escheat (Procedure) Act (Chap. 53.), and by the Statute Law Revision Act (Chap. 59.), see the Schedules to those Acts. For Acts repealed by the Sheriffs Act (Chap. 55.), and by the Coroners Act (Chap. 71.), see pages* 422, 423, *and* 424.)

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 50 & 51 Vict.
12 Geo. 1. c. 34. - -	Master and Servant - -	Repealed in part -	46
22 Geo. 2. c. 27. s. 12 in part -	Master and Servant - -	Repealed -	46
25 Geo. 2. c. 23. - -	Relief, &c. of the Poor in Westminster, &c. - - -	Amended -	17
30 Geo. 2. c. 12. ss. 2 and 3. -	Master and Servant - -	Repealed -	46
57 Geo. 3. c. 115. - -	Master and Servant - -	Repealed -	46
,, c. 122. - -	Master and Servant, &c. -	Repealed -	46
7 Geo. 4. c. 58. - -	Yeomanry Cavalry, &c. - -	Repealed in part -	36
9 Geo. 4. c. 92. - -	Savings Banks - - -	Repealed in part -	40
10 Geo. 4. c. 44. - -	Police (Metropolis) - -	Repealed in part -	9
1 & 2 Will. 4. c. 37. - -	Truck Act, 1831 - - -	Amended -	46
3 & 4 Will. 4. c. 41. - -	Better Administration of Justice (Privy Council) - -	Amended -	70
4 & 5 Will. 4. c. 24. - -	Superannuation Act, 1834 -	Amended -	67
5 & 6 Will. 4. c. 57. s. 4. -	Savings Banks - - -	Repealed -	40
6 & 7 Will. 4. c. 13. - -	Constabulary Force (Ireland) -	Amended -	67
7 Will. 4. & 1 Vict. c. 25. -	Police of Dublin Metropolis -	Amended -	67
2 & 3 Vict. c. 47. - -	Metropolitan Police - -	Amended -	67
,, c. 93. - -	County and District Constables -	Amended -	9 and 67
,, c. xciv. (*Private*) -	City of London Police - -	Repealed in part -	9
6 & 7 Vict. c. 13. - -	Government of Settlements on the Coast of Africa, &c. -	Repealed -	54
,, c. 23. - -	Copyhold Act, 1843 - -	Amended -	73
7 & 8 Vict. c. 83. - -	Savings Banks, &c. - -	Repealed in part -	40
14 & 15 Vict. c. 102. s. 48. -	Seamen's Fund Winding-up Act, 1851 - - - -	Repealed [?]	62
15 & 16 Vict. c. 51. - -	Copyhold Act, 1852 - -	Amended -	73
16 & 17 Vict. c. 137. - -	Charitable Trusts - -	Amended -	49
18 & 19 Vict. c. 70. - -	Public Libraries (England) -	Amended -	22
,, c. 120., &c. -	Metropolis Management -	Amended -	17
,, c. 124. - -	Charitable Trusts - -	Amended -	49
19 & 20 Vict. c. 2. - -	Metropolitan Police - -	Amended -	9
,, c. 69. - -	Police, Counties and Boroughs -	Repealed in part -	9
,, c. 108. - -	County Courts Act, 1856 -	Amended -	3
20 & 21 Vict. c. 72. - -	Police (Scotland) - -	Repealed in part -	9
21 & 22 Vict. c. 94. - -	Copyhold Act, 1858 - -	Amended -	73
22 Vict. c. 26. - -	Superannuation Act, 1859 -	Amended -	13 and 67
22 & 23 Vict. c. 32. - -	Police, Counties and Boroughs -	Amended -	67
23 & 24 Vict. c. 121. - -	Government of Settlements on the Coast of Africa, &c. -	Repealed -	54
,, c. 135. - -	Metropolitan Police Force, Dockyards - - - -	Repealed in part -	9

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 50 & 51 Vict.
23 & 24 Vict. c. 136.	Charitable Trusts	Amended	49
24 & 25 Vict. c. 14.	Post Office Savings Banks	Amended	40
25 & 26 Vict. c. 35.	Public-houses (Scotland)	Amended	38
,, c. 63.	Merchant Shipping Act Amendment Act, 1862	Amended	62
,, c. 88.	Merchandise Marks Act, 1862	Repealed	28
26 & 27 Vict. c. 65.	Volunteers	Repealed in part	36
,, c. 87.	Trustee Savings Banks	Repealed in part	40
28 & 29 Vict. c. 113.	Colonial Governors (Pensions)	Amended	13
29 & 30 Vict. c. 14.	County Courts Act, 1866	Amended	3
,, c. 114.	Public Libraries (England)	Amended	22
30 & 31 Vict. c. 37.	Public Libraries (Scotland)	Repealed	42
,, c. 80.	Valuation of Lands (Scotland)	Amended	51
,, c. 97.	Trusts (Scotland) Act, 1867	Amended	18
31 & 32 Vict. c. 90.	Payments by Public Departments	Repealed	67
32 & 33 Vict. c. 19.	Stannaries Act, 1869	Amended	43
,, c. 110.	Charitable Trusts	Amended	49
33 & 34 Vict. c. 24.	Metropolitan Board of Works (Loans) Act, 1870	Amended	15
,, c. 46.	Landlord and Tenant (Ireland)	Amended	33
,, c. 96.	Appropriation of Supplies	Amended	67
,, c. 97.	Stamp Act, 1870	Amended	15
34 & 35 Vict. c. 44.	Incumbents Resignation Act, 1871	Amended	23
,, c. 59.	Public Libraries (Scotland)	Repealed	42
,, c. 71.	Public Libraries (England)	Amended	22
35 & 36 Vict. c. 12.	Superannuation Act, 1872	Repealed	67
,, c. 29.	Colonial Governors (Pensions)	Amended	13
,, c. 32.	Landlord and Tenant (Ireland)	Amended	33
,, c. 53.	Victoria Park	Amended	34
,, c. 76.	Coal Mines Regulation Act, 1872	Repealed	58
37 & 38 Vict. c. 94.	Conveyancing (Scotland) Act, 1874	Amended	69
38 & 39 Vict. c. 45.	Sinking Fund Act, 1875	Amended	16
,, c. 60.	Friendly Societies Act, 1875	Amended	56
,, c. 89.	Public Works Loans Act, 1875	Amended	16
39 & 40 Vict. c. 26.	Publicans Certificates (Scotland)	Amended	38
,, c. 32.	Friendly Societies Amendment Act, 1876	Repealed	56
,, c. 36.	Customs Consolidation Act, 1876	Amended	7
,, c. 47.	St. Vincent, &c. Constitution	Repealed in part	44
,, c. 54.	Bishopric of Truro Act, 1876	Amended	12
,, c. 59.	Appellate Jurisdiction Act, 1876	Amended	70
40 & 41 Vict. c. viii.	Metropolitan Board of Works	Amended	34
,, c. 27.	Public Works Loans (Ireland) Act, 1877	Amended	16
,, c. 35.	Metropolitan Open Spaces Act, 1877	Amended	32
,, c. 54.	Public Libraries	Amended as to England Repealed as to Scotland	22 42
,, c. 57.	Supreme Court of Judicature Act (Ireland), 1877	Amended	6

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 50 & 51 Vict.
41 & 42 Vict. c. 44.	Truro Chapter Act, 1878	Amended	12
,, c. 63.	Prison (Officers' Superannuation) Act, 1878	Amended	60
42 Vict. c. 9.	Friendly Societies Act, 1879	Repealed	56
42 & 43 Vict. c. 40.	Conveyancing (Scotland) Act, 1879	Amended	69
,, c. 77.	Public Works Loans Act, 1879	Amended	16
43 Vict. c. 15.	National Debt Act, 1880	Repealed	16
43 & 44 Vict. c. 20.	Inland Revenue	Amended	15
,, c. 22. s. 4.	Merchant Shipping (Fees and Expenses) Act, 1880	Repealed	62
,, c. 36.	Savings Banks	Amended	16 and 40
44 & 45 Vict. c. 12.	Customs and Inland Revenue	Amended	15
,, c. 26.	Stratified Ironstone Mines (Gunpowder) Act, 1881	Repealed	58
,, c. 34.	Metropolitan Open Spaces Act, 1881	Amended	32
,, c. 49.	Land Law (Ireland) Act, 1881	Amended	33
,, c. 55.	National Debt Act, 1881	Amended	16
,, c. 58.	Army Act, 1881	Amended	2
45 & 46 Vict. c. 35.	Friendly Societies (Quinquennial Returns) Act, 1882	Repealed	56
,, c. 38.	Settled Land Act, 1882	Amended	30
,, c. 51.	Government Annuities	Amended	40
,, c. lvi.	Metropolitan Board of Works	Amended	34
,, c. 70.	Supreme Court of Judicature (Ireland) Act, 1882	Amended	6
46 & 47 Vict. c. 41.	Merchant Shipping (Fishing Boats) Act, 1883	Amended	4
,, c. 47.	Provident Nominations, &c.	Repealed in part	40
,, c. 52.	Bankruptcy Act, 1883	Amended	57
,, c. 54.	National Debt Act, 1883	Amended	16
,, c. 55. s. 2.	Revenue Act, 1883	Repealed	28
47 & 48 Vict. c. 2.	National Debt Act, 1884	Amended	16
,, c. 23.	National Debt (Conversion of Stock) Act, 1884	Amended	16
,, c. 37.	Public Libraries	Amended as to England Repealed as to Scotland	22 42
,, c. 72.	Disused Burial Grounds Act, 1884	Amended	32
48 & 49 Vict. c. 27.	Friendly Societies Amendment Act, 1885	Repealed	56
,, c. 43.	National Debt Act, 1885	Repealed	16
,, c. 61.	Secretary for Scotland Act, 1885	Amended	52
,, c. 73.	Purchase of Land (Ireland) Act, 1885	Amended	33
49 & 50 Vict. c. 19.	National Debt Act, 1886	Repealed	16
,, c. 22.	Metropolitan Police Act, 1886	Amended	45
,, c. 29.	Crofters Holdings (Scotland) Act, 1886	Amended	24
,, c. 34.	Incumbents of Benefices Loans Extension Act, 1886	Amended	8
,, c. 40.	Coal Mines Act, 1886	Repealed	58
,, c. 44.	Metropolitan Board of Works (Money) Act, 1886	Amended	31

Table B.—Acts of former Sessions repealed and amended—*continued.*

Acts repealed by the Sheriffs Act, 50 & 51 Vict. c. 55.

Act repealed by 50 & 51 Vict. c. 55.	Subject-matter of Act repealed.
3 Edw. 1. (*Stat. Westm. prim.*) c. 9. in pt.	Pursuit of felons.
,, ,, c. 15.	Prisoners and bail.
,, ,, c. 26. in pt.	Extortion by the King's officers.
12 Edw. 1. c. 2. in pt. (*Stat. Wallie*).	Regulation of the jurisdiction and its division into counties &c. Sheriffs and other officers appointed.
,, c. 3.	Of the office of sheriff in Wales.
,, c. 4.	The tourn, &c.
12 Edw. 1. (*Stat. Roth.*)	Provisions made in the Exchequer.
13 Edw. 1. (*Stat. Westm. Sec.*) c. 13.	Sheriffs imprisoning others for felony, &c.
,, c. 39.	How writs shall be delivered to the sheriffs to be executed, &c.
25 Edw. 1. (*Magna Carta.*) c. 17. in pt.	Pleas of the Crown.
,, c. 35.	County court. Sheriff's tourn. View of Frankpledge.
28 Edw. 1. c. 13. (*Artic. Sup. Cart.*)	Of the persons to be chosen sheriffs
9 Edw. 2. st. 2. (*Stat. Lincoln.*)	The statute of sheriffs.
(*Stat. Temp. Incert. Visus Franciplegii.*)	The view of Frankpledge.
1 Edw. 3. st. 2. c. 17.	Indictment shall be taken by indenture.
2 Edw. 3. c. 4.	The statute of Lincoln, 9 Edw. 2., concerning sheriffs, &c., confirmed.
,, c. 5.	The statute of Westminster, the second, 13 Edw. 1. c. 39., concerning the delivery of writs to the sheriff, confirmed.
,, c. 12.	Hundreds and wapentakes shall be annexed to counties and not let to ferm.
5 Edw. 3. c. 4.	Sheriffs, &c. shall have sufficient in the county.
14 Edw. 3. st. 1. c. 7.	Sheriffs shall be appointed annually at the Exchequer.
,, ,, c. 9.	Hundreds and wapentakes shall be rejoined to the respective counties; and be farmed at the ancient rent, &c.
28 Edw. 3. c. 7.	Sheriffs shall be removed from office yearly.
,, c. 9.	Commissions to sheriffs for taking inquests to indict people repealed and prohibited.
31 Edw. 3. c. 15.	The sheriff's tourn shall be held within the month after Easter and Michaelmas.
1 Ric. 2. c. 11.	No sheriff shall be re-elected within three years.
23 H. 6. c. 7.	Recital of the statutes against the continuance of sheriffs in their office.
,, c. 9.	Bail, hundred, jury, justices of assize, sheriff.
1 Edw. 4. c. 2.	Justices of peace in sessions shall try and determine indictments taken in sheriff's tourns.
12 Edw. 4. c. 1.	Sheriffs.
17 Edw. 4. c. 7.	Returns of writs by sheriffs going out of office.
11 Hen. 7. c. 15.	Against sheriffs and under-sheriffs.
19 Hen. 7. c. 24.	Shire court for Sussex.
21 Hen. 8. c. 20. s. 2 in pt.	Lord President. Sheriff.
27 Hen. 8. c. 5. ss. 2 and 4 in pt.	For making justices of peace in Wales.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 50 & 51 Vict. c. 55.	Subject-matter of Act repealed.
27 Hen. 8. c. 24. in pt. -	Liberties and franchises taken from the Crown.
,, c. 26. in pt. -	Law and Justice (Wales).
33 Hen. 8. c. 13. s. 1 -	Lordshippes translated from the county of Denbigh to the county of Flintshire.
34 & 35 Hen. 8. c. 26. in pt. -	For certain ordinances in Wales.
1 Edw. 6. c. 10. in pt. -	Exigents and proclamations in Wales and Chester (county and city).
2 & 3 Edw. 6. c. 25. - -	Keeping of county days.
5 & 6 Edw. 6. c. 26. in pt. -	Writs upon proclamations and exigents to be current within the county of Lancaster.
1 Mar. st. 2. c. 8. - -	Sheriffs shall not be justices of peace.
5 Eliz. c. 23. in pt. - -	Due execution of the writ de excommunicato capiendo.
27 Eliz. c. 12. - -	Swearing of under-sheriffs, &c.
29 Eliz. c. 4. - - -	To prevent extortion in sheriffs, &c. in cases of execution.
43 Eliz. c. 6. - - -	To avoid trifling and frivolous suits in law at Westminster.
14 Cha. 2. c. 21. - -	For preventing the unnecessary charge of sheriffs.
7 & 8 Will. 3. c. 25. s. 8 -	Election of members to serve in Parliament.
*6 Anne, c. 12. s. 5 - -	Better preventing escapes out of the Queen's Bench and Fleet prisons.
†6 Anne, c. 31. - -	Encouraging the discovery and apprehending of house-breakers.
6 Ann. c. 41.‡ s. 8 in pt. -	Security of Her Majesty's person and government and of the succession to the crown.
3 Geo. 1. c. 15. in pt. -	Better regulating the office of sheriffs.
1 Geo. 2. st. 1. c. 5. s. 7 in pt.	Enabling persons possessed of offices at the demise of His late Majesty to qualify themselves for the enjoyment of such offices, &c.
13 Geo. 2. c. 18. s. 6 - -	An Act the title of which begins with the words "An Act "to continue several laws therein mentioned"; and ends with the words "liberties and franchises as have com- "missions of the peace within themselves."
20 Geo. 2. c. 37. - -	Ease of sheriffs with regard to the return of process.
24 Geo. 2. c. 48. s. 12 -	Abbreviation of Michaelmas term.
32 Geo. 2. c. 28. in pt. -	Relief of debtors with respect to the imprisonment of their persons, &c.
4 Geo. 4. c. 37. in pt. - -	Fines, penalties, forfeitures, &c.
3 & 4 Will. 4. c. 42. s. 20 -	Further amendment of the law and the better advancement of justice.
,, c. 99. in pt.	Facilitating the appointment of sheriffs, &c.
6 & 7 Will. 4. c. 19. s. 2 -	Separating the palatine jurisdiction of the county palatine of Durham from the bishopric of Durham.
7 Will. 4. & 1 Vict. c. 55. -	Better regulating the fees payable to sheriffs upon the execution of civil process.
5 & 6 Vict. c. 98. s. 31 in pt.	Laws concerning prisons.
8 & 9 Vict. c. 11. - -	Assigning sheriffs in Wales.
9 & 10 Vict. c. 44. - -	Election of members to serve in Parliament for the county of Chester, &c.
13 & 14 Vict. c. 30. - -	Appointment of sheriff of the county of Westmoreland.
22 & 23 Vict. c. 21. in pt. -	Office of Queen's Remembrancer, &c.
,, c. 32. s. 18 -	Police in counties and boroughs in England and Wales.
28 & 29 Vict. c. 104. s. 25 -	Crown Suits, &c. Act, 1865.
,, c. 126. ss. 59, 60	Prison Act, 1865.
40 & 41 Vict. c. 21. ss. 31, 32	Prison Act, 1877.
42 & 43 Vict. c. 1. s. 3 in pt.	Spring Assizes Act, 1879.
44 & 45 Vict. c. 68. s. 16 -	Supreme Court of Judicature Act, 1881.

* 5 & 6 Anne, c. 9. in Ruff. † 5 & 6 Anne, in Ruff. ‡ c. 7. in Ruff.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Acts repealed by the Coroners Act, 50 & 51 Vict. c. 71.

Act repealed by 50 & 51 Vict. c. 71.	Subject-matter of Act repealed.
3 Edw. 1. c. 9. in pt. - -	The statutes of Westminster the first. Chapter nine; pur suit of felons, &c.
3 Edw. 1. c. 10. - -	The statutes of Westminster the first. Chapter ten; who shall be chosen coroners.
4 Edw. 1. - - -	Office of coroner.
12 Edw. 1. c. 5. - -	The statutes of Wales. Chapter five; of the office of coroner.
12 Edw. 1. c. 6. in pt. -	The statutes of Wales. Chapter six; the form of the King's writs to be pleaded in Wales.
28 Edw. 1. c. 3. - -	Coroners, &c.
1 Edw. 3. stat. 2. c. 17. in pt.	Statutes made at Westminster. Statute the first. Indictments shall be taken by Indenture.
14 Edw. 3. stat. 1. c. 8. -	Statute the first. Chapter eight; escheators and coroners.
28 Edw. 3. c. 6. - -	Coroners.
23 Hen. 6. c. 9. in pt. -	No sheriff shall let his county to ferm.
3 Hen. 7. c. 2. in pt. - -	Against murderers.
1 Hen. 8. c. 7. - -	Coroners.
33 Hen. 8. c. 12. in pt. -	Murder, &c. within the Court.
34 & 35 Hen. 8. c. 26. s. 25. -	Certain ordinances in Wales.
25 Geo. 2. c. 29. - -	Coroners.
6 Geo. 4. c. 50. s. 53 in pt. -	Jurors and juries.
7 Geo. 4. c. 64. in pt. - -	Administration of criminal justice in England.
6 & 7 Will. 4. c. 87. in pt. -	Secular jurisdiction of Archbishop of York and Bishop of Ely.
6 & 7 Will. 4. c. 89.* -	Medical witnesses at coroners inquests.
7 Will. 4. and 1 Vict. c. 64. -	Coroners of the county of Durham.
7 Will. 4. and 1 Vict. c. 68. -	Payment of the expenses of coroners inquests.
6 & 7 Vict. c. 12.† - -	Coroners inquests.
6 & 7 Vict. c. 83. - -	Duties of coroners.
7 & 8 Vict. c. 92. in pt. -	County coroner.
22 Vict. c. 33. - -	Coroners (bail).
22 & 23 Vict. c. 21. s. 40 -	Office of Queen's Remembrancer, &c.
23 & 24 Vict. c. 116. in pt. -	Election, &c. of county coroners.
29 & 30 Vict. c. 90. in pt. -	Sanitary Act, 1866.
31 & 32 Vict. c. 24. s. 5 in pt.	Capital Punishment Amendment Act, 1868.
37 & 38 Vict. c. 88. in pt. -	Births and Deaths Registration Act, 1874.
38 & 39 Vict. c. 55. s. 143 in pt.	Public Health Act, 1875.
40 & 41 Vict. c. 21. s. 44 -	Prison Act, 1877.
45 & 46 Vict. c. 50. in pt. -	Municipal Corporations Act, 1882.

* Except so far as it relates to Ireland.
† So far as relates to England.

INDEX

TO THE

PUBLIC GENERAL STATUTES,

50 & 51 VICTORIA.—A.D. 1887.

*** Several Public Acts of a Local Character have been placed amongst the Local and Personal Acts. These Acts will be found (separately distinguished) in the "Table of the Statutes" at the commencement of the volume, page vi.

A.

ADMINISTRATION OF JUSTICE. *See*—

ALLOTMENTS AND COTTAGE GARDENS, &c.; p. 67.
APPELLATE JURISDICTION; p. 347.
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To apply the sum of 61,247,744*l.* out of the Consolidated Fund to the service of the year ending on the 31st day of March 1888, and to appropriate the Supplies granted in this Session of Parliament. Ch. 50. Page 210.

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WATERWORKS, &C. *See* VALUATION OF LANDS (SCOTLAND); p. 225.

WEIGHING OF CATTLE. *See* MARKETS AND FAIRS, &C.; p. 70.

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